

EXHIBIT 28

In The Matter Of:
RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

GREGORY G. WACKER
June 29, 2017

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RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

GREGORY G. WACKER
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1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA
3 - - -
4 RUTH V. BRIGGS, :
5 Plaintiff, : Civil Action
6 v. : No. 16-00248
7 TEMPLE UNIVERSITY, :
8 Defendant. :
9 - - -
10 Philadelphia, Pennsylvania
11 Thursday, June 29, 2017
12 - - -
13 Deposition of GREGORY G. WACKER,
14 taken pursuant to notice, held at Littler
15 Mendelson, P.C., Three Parkway, 1601 Cherry
16 Street, Suite 1400, Philadelphia, Pennsylvania,
17 beginning at 10:10 a.m., on Thursday, June 29,
18 2017, before Terry Barbano Burke, RMR-CRR.
19
20
21
22 TERRY BURKE REPORTING
23 (215) 205-9079
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1 APPEARANCES:
2 RAHUL MUNSHI, ESQUIRE
3 Console Mattiacci Law, LLC
4 1525 Locust Street, Ninth Floor
5 Philadelphia Pennsylvania 19102
6 Counsel for the Plaintiff
7 RACHEL FENDELL SATINSKY, ESQUIRE
8 Littler Mendelson, P.C.
9 Three Parkway
10 1601 Cherry Street, Suite 1400
11 Philadelphia, Pennsylvania 19102
12 Counsel for the Defendant
13 - - -
14 GREGORY G. WACKER,
15 125 Archbishop Drive, Conshohocken,
16 Pennsylvania, 19428, having been duly
17 sworn, was examined and testified as
18 follows:
19 BY MR. MUNSHI:
20 Q. Good morning, Mr. Wacker.
21 A. Good morning.
22 Q. We just met, but my name is Rahul
23 Munshi. I am an attorney at Console Mattiacci
24 Law, and I have the privilege of representing
Ruth Briggs in this action she has brought
against Temple University.
You are here today for your

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1 deposition. Do you understand that?
2 A. Yes.
3 Q. Have you ever had your deposition taken
4 before?
5 A. No.
6 Q. Let me give you some of the ground rules
7 and just basically explain how things normally
8 work.
9 I am going to be asking you a series
10 of questions and you are going to be giving the
11 answers to those questions. If I ask you a
12 question you don't understand or you want me to
13 repeat, just let me know, I will try to ask a
14 better question.
15 Okay?
16 A. Yes.
17 Q. You have Terry sitting right to your
18 left, and obviously you see her taking down
19 everything so the transcript can be created
20 later. As a result, we have to make sure you
21 verbalize all of your answers. Head shakes,
22 head nods, don't come out clean on the
23 transcript, so if you try to do your very best.
24 I may have to remind you a couple of times.

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1 Okay?
2 A. Yes.
3 Q. Similar instructions for the purposes of
4 the transcript is, we have to make really sure
5 that we don't talk over each other all that
6 much. So if you can try to wait until I am done
7 asking my question even if you know where I am
8 going before you start answering it, and I am
9 going to try to do my best to not ask you my
10 next question until are you done answering my
11 first one.
12 Okay?
13 A. Yes.
14 Q. If you do want to take a break at any
15 point today, just let me know. As long as there
16 isn't a question pending at the time, we will go
17 ahead and take that break.
18 Okay?
19 A. Yes.
20 Q. The last instruction I will give you
21 today, Mr. Wacker, is you just took an oath here
22 to tell the truth. Even though we are in a
23 conference room and there is no judge here,
24 there is no jury here, with that oath comes the

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<p style="text-align: right;">Page 5</p> <p>1 same obligations to tell the truth, same</p> <p>2 potential penalties of perjury if you do not</p> <p>3 tell the truth.</p> <p>4 Do you understand that?</p> <p>5 A. Yes.</p> <p>6 Q. What is your date of birth?</p> <p>7 A. [REDACTED]</p> <p>8 Q. Are you currently employed by Temple?</p> <p>9 A. Yes.</p> <p>10 Q. When did you start working at Temple?</p> <p>11 A. Approximately 12 years ago.</p> <p>12 Q. Ballpark 2005?</p> <p>13 A. 2003, somewhere around there. Been</p> <p>14 there 12, 13 years.</p> <p>15 Q. What was your first position at Temple?</p> <p>16 A. What was it? Possibly a business</p> <p>17 manager.</p> <p>18 Q. How long did you hold that role?</p> <p>19 A. Three or four years.</p> <p>20 Q. When you were hired, in which department</p> <p>21 were you?</p> <p>22 A. Department of biology.</p> <p>23 Q. Who did you report to back then?</p> <p>24 A. Kamel Khalili.</p>	<p style="text-align: right;">Page 7</p> <p>1 Q. And was that your next job title after</p> <p>2 you were the director of finance and</p> <p>3 administration?</p> <p>4 A. I left Temple and went to Hahnemann for</p> <p>5 a year or so.</p> <p>6 Q. And when was that?</p> <p>7 A. I don't recall the date.</p> <p>8 Q. Ballpark?</p> <p>9 A. It was in between, I guess maybe four</p> <p>10 years after I was first in Temple.</p> <p>11 Q. So you said that you were the director</p> <p>12 of finance and administration for nine years.</p> <p>13 A. Yes. There might have been -- oh, no,</p> <p>14 no, no. There was no break in that. It was the</p> <p>15 first position -- what did I say? -- business</p> <p>16 manager. The business manager, I took a break</p> <p>17 between the business manager position and then I</p> <p>18 came back as the director of finance</p> <p>19 administration. Was in that for about nine</p> <p>20 years. Then I became the assistant dean for</p> <p>21 finance and administration.</p> <p>22 Q. And that is what you are right now?</p> <p>23 A. Yes.</p> <p>24 Q. Who do you report to right now?</p>
<p style="text-align: right;">Page 6</p> <p>1 Q. I need you to spell that.</p> <p>2 A. K-A-M-E-L, K-H-A-L-I-L-I.</p> <p>3 Q. What was that person's title?</p> <p>4 A. He was a faculty member. Director of a</p> <p>5 center in the biology department.</p> <p>6 Q. What was the next position that you</p> <p>7 held?</p> <p>8 A. I then became director of finance and</p> <p>9 administration.</p> <p>10 Q. Ballpark year on that?</p> <p>11 A. I don't know, but I was in that probably</p> <p>12 about, I'm going to say, nine years. I held</p> <p>13 that position for nine years.</p> <p>14 Q. What position do you currently hold?</p> <p>15 A. Assistant dean finance and</p> <p>16 administration.</p> <p>17 Q. So before you were a director, now you</p> <p>18 are an assistant dean?</p> <p>19 A. Yes.</p> <p>20 Q. Both finance and administration, though?</p> <p>21 A. Yes, finance and administration.</p> <p>22 Q. When did you start having that job</p> <p>23 title?</p> <p>24 A. Probably about two years ago.</p>	<p style="text-align: right;">Page 8</p> <p>1 A. Michael Klein, the dean.</p> <p>2 Q. Is he dean of anything in particular?</p> <p>3 A. Dean of the College of Science and</p> <p>4 Technology.</p> <p>5 Q. Back in 2014, were you the director or</p> <p>6 the assistant dean?</p> <p>7 A. 2014, would have been director.</p> <p>8 Q. Was it a promotion to assistant dean or</p> <p>9 a lateral?</p> <p>10 A. Promotion.</p> <p>11 Q. Do you know who promoted you?</p> <p>12 A. The current dean.</p> <p>13 Q. Is that Michael Klein?</p> <p>14 A. Michael Klein.</p> <p>15 Q. Do you have any direct reports right now</p> <p>16 reporting to you?</p> <p>17 A. Yes.</p> <p>18 Q. Approximately how many?</p> <p>19 A. Four.</p> <p>20 Q. How about back in 2014, did you have any</p> <p>21 folks reporting directly to you?</p> <p>22 A. Yes.</p> <p>23 Q. How many?</p> <p>24 A. Three or four. I can't remember the</p>

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<p style="text-align: right;">Page 9</p> <p>1 exact number.</p> <p>2 Q. Can you tell me their names? This is</p> <p>3 back in 2014.</p> <p>4 A. 2014, it would be Drew, Andrew DiMeo.</p> <p>5 '14? I'm not sure if Walter Weidenbacher was</p> <p>6 there. I don't think he was there.</p> <p>7 Erin Allen may have been. I mean</p> <p>8 they are rotating staff through there. The</p> <p>9 exact names, I would have to go back and see.</p> <p>10 Q. Back in the 2014 time period, who did</p> <p>11 you report directly to?</p> <p>12 A. I would have reported to the dean, which</p> <p>13 would have been Michael Klein.</p> <p>14 Q. So you have been reporting to Michael</p> <p>15 Klein for many years now?</p> <p>16 A. As long as he has been dean. He's</p> <p>17 probably been dean five years.</p> <p>18 Q. At any point did you have a reporting</p> <p>19 relationship to or with Jie Wu?</p> <p>20 A. Dr. Wu was the chair of the department,</p> <p>21 the CIS department. He did not directly report</p> <p>22 to me. He reports to the dean.</p> <p>23 Q. You did not report directly to him?</p> <p>24 A. I did not report to him, no.</p>	<p style="text-align: right;">Page 11</p> <p>1 department?</p> <p>2 A. Into the dean's office, yes.</p> <p>3 Q. Ballpark, what year was that?</p> <p>4 A. I don't know.</p> <p>5 Q. Was she already employed by Temple</p> <p>6 before you were employed by Temple, do you know?</p> <p>7 A. I do not know that.</p> <p>8 Q. Did you have any supervision or</p> <p>9 supervisory authority over Ruth Briggs at any</p> <p>10 time?</p> <p>11 A. No. Once again, no direct supervision</p> <p>12 over her.</p> <p>13 Q. Indirect supervision over her?</p> <p>14 A. Once again, if the dean, nobody was</p> <p>15 around, and somebody needed a question answered</p> <p>16 or guidance on something, they would come to me</p> <p>17 and I would guide them on whatever the topic may</p> <p>18 be.</p> <p>19 Q. Is that a common occurrence or is this a</p> <p>20 one-off thing randomly?</p> <p>21 MS. SATINSKY: Objection to form.</p> <p>22 You can answer the question.</p> <p>23 THE WITNESS: It happens, you know,</p> <p>24 quite often in the normal business process, some</p>
<p style="text-align: right;">Page 10</p> <p>1 Q. Organizational chart wise, were you on</p> <p>2 the same level?</p> <p>3 A. Yes.</p> <p>4 Q. And at any point during your tenure at</p> <p>5 Temple, did you have a reporting relationship to</p> <p>6 or with Ruth Briggs?</p> <p>7 A. As a direct report, no.</p> <p>8 Q. How about indirect?</p> <p>9 A. Indirect, there may have been when Allen</p> <p>10 Nicholson was chair, and I believe he brought</p> <p>11 Ruth over. More or less if the dean was out and</p> <p>12 the senior associate dean was out, then I would</p> <p>13 kind of be left in charge of the office.</p> <p>14 Q. When you said Allen Nicholson brought</p> <p>15 her over, what do you mean?</p> <p>16 A. He hired her. He hired her.</p> <p>17 Q. Hired her externally into Temple?</p> <p>18 A. Well, she was already in Temple. He</p> <p>19 hired her in a position that became vacant in</p> <p>20 the dean's office.</p> <p>21 Q. And at that time, Ruth Briggs was</p> <p>22 already an employee of Temple?</p> <p>23 A. Yes.</p> <p>24 Q. Allen Nicholson brings her into this</p>	<p style="text-align: right;">Page 12</p> <p>1 of the associate deans will be out at meetings,</p> <p>2 whatever, and if a problem comes in and any of</p> <p>3 the administrative staff need assistance with</p> <p>4 determining how to handle that situation, they</p> <p>5 would come to me then for advice and guidance.</p> <p>6 BY MR. MUNSHI:</p> <p>7 Q. Did you ever conduct any of Miss Briggs'</p> <p>8 performance reviews at any time?</p> <p>9 A. No.</p> <p>10 Q. Did you ever review any of her</p> <p>11 performance reviews prior to them being given to</p> <p>12 her?</p> <p>13 A. Not that I recall.</p> <p>14 Q. Did anyone ever seek your input as to</p> <p>15 what her performance evaluation should look</p> <p>16 like?</p> <p>17 A. Not that I recall.</p> <p>18 Q. Did you ever consider yourself to be her</p> <p>19 boss?</p> <p>20 A. No.</p> <p>21 Q. Beyond what you have already described</p> <p>22 in the situations where no one else was present,</p> <p>23 did you have any other role vis-à-vis Ruth</p> <p>24 Briggs?</p>

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<p style="text-align: right;">Page 13</p> <p>1 MS. SATINSKY: Objection to form.</p> <p>2 You can answer the question.</p> <p>3 THE WITNESS: In my role, I more or</p> <p>4 less serve as a consultant, guidance, and a</p> <p>5 resource for anyone in the college that has any</p> <p>6 type of issue. Any matter that they need</p> <p>7 guidance, direction, advice on, whatever, they</p> <p>8 can come in and talk to me confidentially, and</p> <p>9 at that point, I would just advise them to what</p> <p>10 other resources might be available within Temple</p> <p>11 or where they might want to go to.</p> <p>12 BY MR. MUNSHI:</p> <p>13 Q. And did you ever have occasion to advise</p> <p>14 Miss Briggs on a confidential basis?</p> <p>15 MS. SATINSKY: Objection to form.</p> <p>16 THE WITNESS: I don't know that it</p> <p>17 was confidential. You know, she would bring</p> <p>18 issues up in front of others and my response</p> <p>19 would be go see the appropriate entity that</p> <p>20 handles that type of a complaint.</p> <p>21 BY MR. MUNSHI:</p> <p>22 Q. What do you mean by "others"?</p> <p>23 A. Other staff members in the office,</p> <p>24 particularly Drew DiMeo and other administrative</p>	<p style="text-align: right;">Page 15</p> <p>1 A. This is an office, outside. If this was</p> <p>2 my office, it would have been outside. There is</p> <p>3 other desks around. There is other people</p> <p>4 around. So it would have been made in that</p> <p>5 conversation when we were just standing around</p> <p>6 having conversation.</p> <p>7 Q. And you were present along with Drew</p> <p>8 DiMeo?</p> <p>9 A. Yes.</p> <p>10 Q. And did she just come right up to you or</p> <p>11 were you having a meeting? Explain to me the</p> <p>12 context.</p> <p>13 MS. SATINSKY: Objection.</p> <p>14 Asked and answered. You can answer</p> <p>15 the question.</p> <p>16 THE WITNESS: It wasn't a formal</p> <p>17 meeting. Once again, my office is the hub and</p> <p>18 activity for finance and business-related</p> <p>19 activities. People are constantly coming and</p> <p>20 going in and out of my office for various, you</p> <p>21 know, business-related activities. It was not a</p> <p>22 planned meeting, a scheduled meeting, a "Hey,</p> <p>23 I'm filing a complaint" type of thing. It was</p> <p>24 just in the context of us talking about a bunch</p>
<p style="text-align: right;">Page 14</p> <p>1 office.</p> <p>2 Q. There was the one comment that she</p> <p>3 allegedly said Dr. Wu made.</p> <p>4 Q. Which was?</p> <p>5 A. I don't know. You know, something about</p> <p>6 China. Once again, I don't know the full</p> <p>7 contents of it. I can't tell you exactly what</p> <p>8 it was. At that point, she felt it had</p> <p>9 something to do with either her age or her</p> <p>10 gender, and I suggested that she go to Sandra</p> <p>11 Foehl's office to file a complaint if indeed</p> <p>12 that was said.</p> <p>13 Once again, I don't know what was</p> <p>14 said, so I had no supporting documentation.</p> <p>15 There was nothing in writing or indicating</p> <p>16 exactly what it was.</p> <p>17 Q. How did you learn that a statement was</p> <p>18 allegedly made to Ruth Briggs?</p> <p>19 A. She brought it up in the course of</p> <p>20 casual conversation with myself and Drew in the</p> <p>21 office. Not in an office. In the outer office</p> <p>22 where anybody could be walking around or milling</p> <p>23 around.</p> <p>24 Q. What do you mean by "outer office"?</p>	<p style="text-align: right;">Page 16</p> <p>1 of other things, it was mentioned. And once</p> <p>2 again, my direction was if you feel that adamant</p> <p>3 about a complaint, this office handles that type</p> <p>4 of complaint, go seek that.</p> <p>5 BY MR. MUNSHI:</p> <p>6 Q. And by "this office," you are talking</p> <p>7 about Sandy Foehl's office?</p> <p>8 A. Yes.</p> <p>9 Q. That is the EEO office; correct?</p> <p>10 A. Yes.</p> <p>11 Q. How did you determine that the comment</p> <p>12 was age or gender based?</p> <p>13 MS. SATINSKY: Objection to form.</p> <p>14 Asked and answered. You can answer the</p> <p>15 question.</p> <p>16 THE WITNESS: Once again, I believe</p> <p>17 that the context of what she was saying had to</p> <p>18 do something with age and gender and China, as</p> <p>19 part of a conversation with a lot of</p> <p>20 conversations going on with multiple people in</p> <p>21 the office. Once again, it was not any type of</p> <p>22 a formal complaint.</p> <p>23 BY MR. MUNSHI:</p> <p>24 Q. To you?</p>

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<p style="text-align: right;">Page 17</p> <p>1 A. To me or to Drew, yes.</p> <p>2 Q. Just so I'm clear here, did she say this</p> <p>3 was an age or gender-based comment, or is that</p> <p>4 something that you interpreted?</p> <p>5 MS. SATINSKY: Objection.</p> <p>6 Asked and answered. You can answer</p> <p>7 it.</p> <p>8 THE WITNESS: She said yes. She</p> <p>9 seemed to indicate that it was.</p> <p>10 BY MR. MUNSHI:</p> <p>11 Q. I am just asking a finer point. Did she</p> <p>12 say this is an age and gender-based comment or</p> <p>13 did you interpret it as such?</p> <p>14 MS. SATINSKY: Objection. Asked and</p> <p>15 answered.</p> <p>16 You can answer it one more time,</p> <p>17 Greg.</p> <p>18 THE WITNESS: I believe she</p> <p>19 interpreted it as that, at which point, then, I</p> <p>20 threw my comment back to her, the appropriate</p> <p>21 group is affirmative action.</p> <p>22 BY MR. MUNSHI:</p> <p>23 Q. Affirmative action is the EEO office?</p> <p>24 A. Or Sandy Foehl, Sandy Foehl.</p>	<p style="text-align: right;">Page 19</p> <p>1 personnel issue. Send it over to them.</p> <p>2 I don't do any investigations for</p> <p>3 the most part that relate to those type of</p> <p>4 activities.</p> <p>5 BY MR. MUNSHI:</p> <p>6 Q. Is the EEO office a part of HR?</p> <p>7 A. I don't know. I don't know the</p> <p>8 structure.</p> <p>9 Q. Do you know if the EEO office where</p> <p>10 Sandy Foehl works has any specific job duties or</p> <p>11 jurisdiction that is special?</p> <p>12 MS. SATINSKY: Objection to form.</p> <p>13 THE WITNESS: I'm not sure.</p> <p>14 BY MR. MUNSHI:</p> <p>15 Q. Do you know what EEO stands for?</p> <p>16 A. The Equal Employment Opportunity group.</p> <p>17 Q. Did you direct Miss Briggs as a result</p> <p>18 of what she had conveyed to you to any other</p> <p>19 department in HR?</p> <p>20 MS. SATINSKY: Objection. Asked and</p> <p>21 answered.</p> <p>22 You can answer it one more time.</p> <p>23 THE WITNESS: No.</p> <p>24 BY MR. MUNSHI:</p>
<p style="text-align: right;">Page 18</p> <p>1 Q. I am still not understanding, so let me</p> <p>2 ask one more time.</p> <p>3 Did she say to you and Drew, this is</p> <p>4 an age and gender-based comment, or based on</p> <p>5 what she did relate to you, you understood it to</p> <p>6 be one?</p> <p>7 MS. SATINSKY: Objection. Asked and</p> <p>8 answered.</p> <p>9 THE WITNESS: I didn't know what it</p> <p>10 was, so I directed her to another office.</p> <p>11 BY MR. MUNSHI:</p> <p>12 Q. You knew enough to direct her to</p> <p>13 somebody's office; right?</p> <p>14 A. Yes.</p> <p>15 Q. Did you direct her to anybody else's</p> <p>16 office?</p> <p>17 A. Sandy Foehl.</p> <p>18 Q. So who is Sandy Foehl and what does she</p> <p>19 do there?</p> <p>20 A. There --</p> <p>21 MS. SATINSKY: Objection to form.</p> <p>22 You can answer the question.</p> <p>23 THE WITNESS: They handle personnel</p> <p>24 complaints. So at that point, we had a</p>	<p style="text-align: right;">Page 20</p> <p>1 Q. Why didn't you tell her to talk to HR if</p> <p>2 it was a personnel issue?</p> <p>3 A. Don't know.</p> <p>4 Q. You understood at that time that you</p> <p>5 advised her to go talk to Sandy Foehl, and Sandy</p> <p>6 Foehl within her capacity in the EEO office, she</p> <p>7 deals with age and gender-type issues; right?</p> <p>8 MS. SATINSKY: Objection. Asked and</p> <p>9 answered.</p> <p>10 You can answer it one more time.</p> <p>11 THE WITNESS: Yes.</p> <p>12 MS. SATINSKY: I am just going to</p> <p>13 put on the record an objection, Rahul. You did</p> <p>14 this in the past deposition where you asked the</p> <p>15 same questions repeatedly. If it continues to</p> <p>16 happen in this deposition, I am going to call</p> <p>17 the judge.</p> <p>18 BY MR. MUNSHI:</p> <p>19 Q. During your tenure at Temple, to your</p> <p>20 knowledge, has any employee ever complained that</p> <p>21 you harassed them, discriminated against them,</p> <p>22 or retaliated against them?</p> <p>23 A. Not that I'm aware of.</p> <p>24 Q. During your tenure at Temple, to your</p>

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<p style="text-align: right;">Page 21</p> <p>1 knowledge, has any employee gone to HR to 2 complain about you? 3 A. Not that I'm aware of. 4 Q. And during your tenure at Temple, to 5 your knowledge, has any employee filed an EEOC 6 charge alleging anything about your conduct? 7 A. Not that I'm aware of. 8 Q. Do you work with an employee named Tanya 9 Honeywell? 10 A. Yes. 11 Q. Who is she? 12 A. I don't know her exact title, but she 13 was an administrative assistant, along those 14 lines, that worked in the dean's office. 15 Q. Is she still employed at Temple? 16 A. No -- I do not know. 17 Q. And when you say the "dean's office," 18 which dean's office? 19 A. College of Technology and Science dean's 20 office. 21 Q. At any point did you have a direct or 22 indirect reporting relationship with her? 23 A. Yes. 24 Q. Year?</p>	<p style="text-align: right;">Page 23</p> <p>1 dean's administrative assistant? 2 A. Right now? 3 Q. No. We are talking about Tanya 4 Honeywell? 5 A. Tanya? It might have been Ruth. 6 Q. Do you recall if Miss Honeywell went on 7 FMLA leave at any point while she was employed 8 at Temple? 9 A. Yes, she did. 10 Q. How do you know that? 11 A. I do remember she was on -- I do 12 remember her being out on intermittent FMLA. 13 Q. Were you in any position to authorize 14 the FMLA leave? 15 A. No. 16 Q. Did you have an understanding if her 17 FMLA leave was related to her own medical 18 condition or somebody else's medical condition? 19 A. No. 20 Q. Did you ever think that she was faking 21 something to get on FMLA? 22 A. No. 23 MS. SATINSKY: Objection to form. 24 You can answer.</p>
<p style="text-align: right;">Page 22</p> <p>1 MS. SATINSKY: Is that a question? 2 It is not a question. Don't answer that. If 3 you have a question, you can ask it as a 4 question. 5 BY MR. MUNSHI: 6 Q. Do you know what year it was that you 7 had a direct or indirect relationship with Tanya 8 Honeywell? 9 A. I do not. 10 Q. And was it a direct relationship or 11 indirect? 12 A. Indirect. 13 Q. Did she report to somebody who reported 14 to you? 15 A. No. 16 Q. So describe for me what you mean by 17 indirect? 18 A. She would have reported to the dean's 19 administrative assistant. 20 Now, when that person left or -- if 21 that person were to leave or whatever, once 22 again, I would be helping monitor, but not a 23 direct report to me. 24 Q. And who was that individual who was the</p>	<p style="text-align: right;">Page 24</p> <p>1 THE WITNESS: No. 2 BY MR. MUNSHI: 3 Q. Did you ever tell anybody that you 4 thought that she was faking it? 5 A. No. 6 Q. Did you ever instruct Ruth Briggs to 7 find out more information about Miss Honeywell's 8 FMLA? 9 A. No. 10 Q. Did you ever instruct Miss Briggs to 11 call the doctor's office and find out more about 12 Miss Honeywell? 13 A. No. 14 Q. At any point, did you instruct or direct 15 Miss Briggs to issue discipline on 16 Miss Honeywell? 17 A. In accordance with work rules, yes. 18 Q. Which work rules are you talking about? 19 A. It would be the Temple University work 20 rules. 21 Q. Which rules specifically are you talking 22 about? 23 A. At this point, I don't know. I would 24 have to see which items would be there.</p>

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<p style="text-align: right;">Page 25</p> <p>1 Under FMLA you are allowed out for</p> <p>2 the FMLA reasons. If you are out sick and above</p> <p>3 and beyond that for non-FMLA related, you can</p> <p>4 follow university work rules for excessive</p> <p>5 absenteeism and those types of things.</p> <p>6 There may have been some performance</p> <p>7 issues with work not getting done, and the only</p> <p>8 directive would be is that anything that she is</p> <p>9 out for FMLA, you cannot do anything. Anything</p> <p>10 that is just regular sick, discipline can be</p> <p>11 taken.</p> <p>12 Q. Explain to me what you mean by "regular</p> <p>13 sick"?</p> <p>14 A. If I called out today and said, hey, I'm</p> <p>15 out four hours for FMLA sick, that four hours</p> <p>16 gets booked sick time. It cannot be used in my</p> <p>17 calculation for the work rule violation of</p> <p>18 excessive absenteeism.</p> <p>19 If I take just four hours sick,</p> <p>20 that's it. If I take 15 days sick that are not</p> <p>21 FMLA related, I can be written up for excessive</p> <p>22 absenteeism.</p> <p>23 Q. Did you have an understanding that</p> <p>24 Miss Honeywell was on intermittent FMLA leave?</p>	<p style="text-align: right;">Page 27</p> <p>1 Q. So did you tell Miss Briggs to actually</p> <p>2 give her a form of discipline?</p> <p>3 A. I told her to find out what the problems</p> <p>4 were and handle them appropriately according to</p> <p>5 university work rules.</p> <p>6 Q. And then did you have a discussion with</p> <p>7 Ruth Briggs about what she found out?</p> <p>8 A. I don't believe it ever got to that</p> <p>9 point.</p> <p>10 Q. Did you ask Miss Briggs to look into any</p> <p>11 medical information of Tanya Honeywell?</p> <p>12 A. No, because it's confidential.</p> <p>13 Q. What did you ask Miss Briggs to look</p> <p>14 into?</p> <p>15 MS. SATINSKY: Objection. Asked and</p> <p>16 answered.</p> <p>17 You can answer it one more time.</p> <p>18 THE WITNESS: Once again, what was</p> <p>19 going on with the work and the performance and</p> <p>20 why were things not getting done and handle it</p> <p>21 in accordance with university work rules.</p> <p>22 BY MR. MUNSHI:</p> <p>23 Q. Was discipline ultimately issued?</p> <p>24 A. I don't recall.</p>
<p style="text-align: right;">Page 26</p> <p>1 A. Yes.</p> <p>2 Q. And was it your understanding that she</p> <p>3 was excessively absent?</p> <p>4 A. Yes.</p> <p>5 Q. What was your basis for concluding that?</p> <p>6 A. The complaints that came in to me about</p> <p>7 work not getting done and people asking how to</p> <p>8 handle that. At which point, then, that would</p> <p>9 be pushed back to the supervisor to say, hey,</p> <p>10 you are supervising the employee, you need to</p> <p>11 follow work rules.</p> <p>12 Q. Were you receiving complaints that work</p> <p>13 was not being done because Miss Honeywell was</p> <p>14 absent?</p> <p>15 A. I don't know why, but I was receiving</p> <p>16 complaints that the work was not being done.</p> <p>17 Q. Did you ever conclude that she was being</p> <p>18 absent excessively for non-FMLA reasons?</p> <p>19 A. Once again, I would have directed the</p> <p>20 supervisor to find out what -- supervise the</p> <p>21 employee and figure out what is going on.</p> <p>22 Q. This supervisor you are talking about,</p> <p>23 was that Ruth Briggs?</p> <p>24 A. I believe it was.</p>	<p style="text-align: right;">Page 28</p> <p>1 Q. Are you aware that Miss Honeywell later</p> <p>2 brought a claim against Temple?</p> <p>3 A. I was aware of it through the attorney.</p> <p>4 MS. SATINSKY: Beyond that, I don't</p> <p>5 want you to testify about anything else that you</p> <p>6 learned through an attorney either at Temple or</p> <p>7 outside of Temple regarding Miss Honeywell.</p> <p>8 BY MR. MUNSHI:</p> <p>9 Q. What is the name of the attorney?</p> <p>10 A. It was Temple's attorney. Temple</p> <p>11 University's counsel office.</p> <p>12 Q. In-house counsel?</p> <p>13 A. In house, yes, in-house counsel.</p> <p>14 Q. Did you ever meet with in-house counsel?</p> <p>15 MS. SATINSKY: You can answer that</p> <p>16 as to whether or not you met.</p> <p>17 THE WITNESS: Yes.</p> <p>18 BY MR. MUNSHI:</p> <p>19 Q. Do you know if Ruth Briggs ever met with</p> <p>20 an attorney from Temple about Miss Honeywell?</p> <p>21 A. I do not know.</p> <p>22 Q. Did you ever have a discussion with Ruth</p> <p>23 Briggs about Tanya Honeywell's claim?</p> <p>24 A. No.</p>

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<p style="text-align: right;">Page 29</p> <p>1 Q. Did Ruth Briggs ever inform you that she 2 spoke with HR about Tanya Honeywell? 3 A. No. 4 Q. Did you ever speak with HR about Tanya 5 Honeywell? 6 A. I don't recall. 7 Q. Did you ever learn from Ruth Briggs that 8 she informed HR that she believed that you were 9 harassing Miss Honeywell regarding FMLA leave? 10 MS. SATINSKY: Objection. Asked and 11 answered. 12 THE WITNESS: No. 13 BY MR. MUNSHI: 14 Q. Did you ever instruct or direct Ruth 15 Briggs to give Miss Honeywell a lower 16 performance rating on a performance evaluation? 17 A. No. 18 Q. Did you ever have any discussion with 19 Ruth Briggs about Tanya Honeywell's performance 20 evaluations? 21 A. No. 22 Q. Was Miss Briggs in a position to give 23 performance evaluations of Tanya Honeywell? 24 A. If she was her direct supervisor, yes.</p>	<p style="text-align: right;">Page 31</p> <p>1 A. Last year, approximately. 2 Q. Did you ever have an indirect or direct 3 reporting relationship with her? 4 A. No. No direct. 5 Q. Same indirect in your capacity you 6 explained earlier? 7 A. Yes. 8 Q. Did you at any point recommend her 9 termination? 10 A. No. 11 Q. Did you ever have a discussion with 12 anybody regarding terminating her employment? 13 A. No. 14 Q. Did you ever have a discussion with Ruth 15 Briggs about Judy Lennon generally? 16 A. Yes. 17 Q. What do you recall? 18 A. Ruth would continually do some of Judy's 19 work and not get Ruth's work done. And my 20 advice would be you need to do your work first. 21 Judy is capable and competent. 22 I occasionally work with staff to 23 help them improve their skills and do things. 24 Judy would always type out a manual, a form that</p>
<p style="text-align: right;">Page 30</p> <p>1 Q. Any other employee that you are aware of 2 who raised a claim regarding anything to do with 3 your conduct? 4 MS. SATINSKY: Objection. Asked and 5 answered. You can answer it one more time. 6 THE WITNESS: No. 7 MR. MUNSHI: He said no before, and 8 now we are talking about Tanya Honeywell. 9 BY MR. MUNSHI: 10 Q. So anybody else? 11 A. No. 12 MS. SATINSKY: Just to be clear, he 13 did not testify Tanya Honeywell ever raised a 14 complaint against him. 15 BY MR. MUNSHI: 16 Q. Did you ever work with a woman named 17 Judy Lennon? 18 A. Yes. 19 Q. Who was she? 20 A. She was an administrative assistant or a 21 secretary in the CIS department. 22 Q. Is she still employed at Temple? 23 A. No. She's retired. 24 Q. Do you know when she retired?</p>	<p style="text-align: right;">Page 32</p> <p>1 was on the computer that you can type on the 2 computer. She would print it out and type it. 3 I took two typewriters from her to 4 force her to learn how to use the computer to 5 print the form. She was fine. She was able to 6 do it. 7 So it was that type of guidance and 8 coaching that I was working with to help her 9 improve her skill sets to satisfy the faculty 10 needs. 11 Q. Approximately how old was Judy Lennon 12 when she retired? 13 A. I have no idea. 14 Q. Was she of retirement age or was it an 15 early retirement? 16 A. I'm going to assume that she's 17 retirement age. 18 MS. SATINSKY: I don't want you to 19 assume or guess anything. If you know, you 20 should testify what you know. 21 THE WITNESS: I don't know. 22 BY MR. MUNSHI: 23 Q. Did you ever inform Ruth Briggs or 24 direct her to dig up any information about Judy</p>

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<p style="text-align: right;">Page 33</p> <p>1 Lennon?</p> <p>2 MS. SATINSKY: Objection to form.</p> <p>3 THE WITNESS: No.</p> <p>4 BY MR. MUNSHI:</p> <p>5 Q. Do you know somebody named Antoinette</p> <p>6 Newton?</p> <p>7 A. Yes.</p> <p>8 Q. Who is she?</p> <p>9 A. She was in CIS as well.</p> <p>10 Q. In what capacity?</p> <p>11 A. I don't know. Administrative assistant,</p> <p>12 administrative coordinator. Don't know the</p> <p>13 exact title.</p> <p>14 Q. Any indirect or direct reporting</p> <p>15 relationship with her?</p> <p>16 A. No.</p> <p>17 Q. Even an indirect one like with the other</p> <p>18 folks?</p> <p>19 A. Well, everybody in the college is an</p> <p>20 indirect. They come to me for advice and</p> <p>21 guidance.</p> <p>22 Q. Did Miss Newton ever come to you for</p> <p>23 advice or guidance?</p> <p>24 A. Not that I'm aware of.</p>	<p style="text-align: right;">Page 35</p> <p>1 that was brought up falls under the work rules.</p> <p>2 BY MR. MUNSHI:</p> <p>3 Q. And then during that multi-step process,</p> <p>4 when is the decision made with regard to Ruth</p> <p>5 Briggs?</p> <p>6 A. Once it's reviewed by HR, labor</p> <p>7 relations, and confirmed that the appropriate</p> <p>8 work rule has been identified, and then the</p> <p>9 appropriate discipline is issued.</p> <p>10 Q. Did Dr. Wu initiate the request to</p> <p>11 terminate Miss Briggs to you or Mr. DiMeo or</p> <p>12 somebody else?</p> <p>13 MS. SATINSKY: Objection to form.</p> <p>14 You can answer the question.</p> <p>15 THE WITNESS: To Drew.</p> <p>16 BY MR. MUNSHI:</p> <p>17 Q. When did that take place?</p> <p>18 A. I do not recall.</p> <p>19 Q. In what format was that request to</p> <p>20 terminate Miss Briggs made?</p> <p>21 MS. SATINSKY: Objection to form.</p> <p>22 BY MR. MUNSHI:</p> <p>23 Q. And by "format," I mean orally, e-mail,</p> <p>24 memo to the file, phone call?</p>
<p style="text-align: right;">Page 34</p> <p>1 Q. Did Judy Lennon ever come to you for</p> <p>2 advice or guidance?</p> <p>3 A. Not that I'm aware of.</p> <p>4 Q. Is Miss Newton still working at Temple?</p> <p>5 A. No. I believe she retired as well.</p> <p>6 Q. Did you ever have a conversation with</p> <p>7 Miss Briggs about Miss Newton?</p> <p>8 A. No.</p> <p>9 Q. Regarding Ruth Briggs, what role, if</p> <p>10 any, did you play in the decision to terminate</p> <p>11 her employment?</p> <p>12 MS. SATINSKY: Objection to form.</p> <p>13 THE WITNESS: I facilitated the</p> <p>14 analysis of Dr. Wu's request that she be</p> <p>15 terminated.</p> <p>16 BY MR. MUNSHI:</p> <p>17 Q. Who made the decision to terminate?</p> <p>18 MS. SATINSKY: Objection to form.</p> <p>19 THE WITNESS: Dr. Wu initiates the</p> <p>20 request. Drew, who works under me, investigated</p> <p>21 the details. Gets the details to me.</p> <p>22 We then hand those details over to</p> <p>23 labor relations, which would be Deirdre Walton's</p> <p>24 group. And then it is assessed where the issue</p>	<p style="text-align: right;">Page 36</p> <p>1 A. To me, it was verbal.</p> <p>2 Q. We will get to you in a second, because</p> <p>3 first you said that Dr. Wu initiated the request</p> <p>4 to Drew?</p> <p>5 A. To Drew, yes.</p> <p>6 Q. So just focus on that one for right now.</p> <p>7 A. I don't know.</p> <p>8 Q. Then did you have a conversation with</p> <p>9 Drew DiMeo?</p> <p>10 A. Drew came to me and had the</p> <p>11 conversation.</p> <p>12 Q. When did that take place?</p> <p>13 A. Right after Dr. Wu made the request to</p> <p>14 Drew.</p> <p>15 Q. How do you know that it was right after?</p> <p>16 A. That's what I recall.</p> <p>17 Q. Did Drew say, "I just spoke with</p> <p>18 Dr. Wu"?</p> <p>19 A. I don't recall the exact language.</p> <p>20 Q. What did Drew say to you?</p> <p>21 A. The typical conversation we would have</p> <p>22 is, "There's an issue here, here's the</p> <p>23 information that we have. The individual would</p> <p>24 like to proceed this way. Can we proceed?"</p>

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<p style="text-align: right;">Page 37</p> <p>1 Q. Let me just be more specific. I don't</p> <p>2 want to talk about typically or in general how</p> <p>3 things normally work. Just focusing in on</p> <p>4 Miss Briggs. Okay?</p> <p>5 A. Yes.</p> <p>6 Q. What did Drew DiMeo say to you regarding</p> <p>7 Ruth Briggs and Dr. Wu's request to terminate?</p> <p>8 A. That Dr. Wu would like to terminate Ruth</p> <p>9 because of this issue. At which point then I</p> <p>10 would say gather the appropriate information and</p> <p>11 documentation. Then we'll kick it to HR,</p> <p>12 meaning Deirdre Walton, labor relations, and see</p> <p>13 where it goes.</p> <p>14 Q. You said the phrase "this issue." Did</p> <p>15 he say the phrase "this issue," or is that what</p> <p>16 you are saying?</p> <p>17 A. That's what I'm saying.</p> <p>18 Q. So what was "this issue," quote/unquote,</p> <p>19 this issue?</p> <p>20 A. I would have to look at the information</p> <p>21 again to be 100 percent confident on that.</p> <p>22 Q. And sitting here right now, we are just</p> <p>23 talking about your memory of your recollection</p> <p>24 of your conversation with Drew DiMeo.</p>	<p style="text-align: right;">Page 39</p> <p>1 MS. SATINSKY: Objection to forth.</p> <p>2 BY MR. MUNSHI:</p> <p>3 Q. -- as opposed any other sort of</p> <p>4 discipline, or no discipline at all?</p> <p>5 A. I think it's the aggregate of all of her</p> <p>6 mistakes that she would make, and this may be</p> <p>7 the straw that broke the camel's back.</p> <p>8 Q. Did you instruct Drew DiMeo to gather</p> <p>9 the appropriate documentation?</p> <p>10 A. Yes.</p> <p>11 MS. SATINSKY: Objection. Asked and</p> <p>12 answered.</p> <p>13 THE WITNESS: Yes.</p> <p>14 BY MR. MUNSHI:</p> <p>15 Q. What documentation, if any, did he</p> <p>16 gather?</p> <p>17 A. I don't know.</p> <p>18 Q. Did you ever review the documentation</p> <p>19 that he gathered?</p> <p>20 A. Yes, I would have as part of working</p> <p>21 with HR.</p> <p>22 Q. Again, I want to caution you on</p> <p>23 the "would have," because, again, we are not</p> <p>24 talking about typically or in general with other</p>
<p style="text-align: right;">Page 38</p> <p>1 Do you recall specifically what Drew</p> <p>2 DiMeo specifically told you was an issue that</p> <p>3 Dr. Wu wanted to fire Miss Briggs over?</p> <p>4 MS. SATINSKY: Objection to form.</p> <p>5 THE WITNESS: I believe the issue</p> <p>6 may have been about a reimbursement for Dr. Wu.</p> <p>7 Something Ruth had to put into one of the</p> <p>8 systems, university systems that she was unable</p> <p>9 to do for multiple days.</p> <p>10 BY MR. MUNSHI:</p> <p>11 Q. Did Drew DiMeo tell you what she did</p> <p>12 wrong, if anything?</p> <p>13 A. Once again, from what I recall, it was</p> <p>14 she put in, Dr. Wu had a reimbursement -- if</p> <p>15 this is the correct incident that I'm thinking</p> <p>16 of -- she was supposed to put in a reimbursement</p> <p>17 for Dr. Wu a week ago and she wasn't able to get</p> <p>18 it in because she was having -- she said -- she</p> <p>19 indicated she was having problems. It was</p> <p>20 investigated and the problem she said she had</p> <p>21 was not substantiated and she became</p> <p>22 argumentative and combative and disruptive.</p> <p>23 Q. Did Drew DiMeo explain to you why Dr. Wu</p> <p>24 wanted to actually fire her over this issue --</p>	<p style="text-align: right;">Page 40</p> <p>1 people. Just here. So just with regard to Ruth</p> <p>2 Briggs.</p> <p>3 First of all, do you know if he did</p> <p>4 actually in fact gather information?</p> <p>5 A. Yes.</p> <p>6 Q. How do you know that?</p> <p>7 A. Yes, because he reached out to</p> <p>8 accounting, the controller's office, to confirm</p> <p>9 that the information was available for Ruth to</p> <p>10 use at the time of the incident.</p> <p>11 Q. Did you actually review any</p> <p>12 correspondence or memos or e-mails or anything</p> <p>13 regarding Ruth Briggs and the decision to</p> <p>14 terminate her?</p> <p>15 MS. SATINSKY: Objection to form.</p> <p>16 THE WITNESS: Yes.</p> <p>17 BY MR. MUNSHI:</p> <p>18 Q. And what did you review?</p> <p>19 A. The controller's office confirmed that</p> <p>20 the FOAPAL she needed was available, where she</p> <p>21 continually insinuated that it was not, and</p> <p>22 became argumentative and disruptive. And that</p> <p>23 was a four-day period, three- or four-day</p> <p>24 period.</p>

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<p style="text-align: right;">Page 41</p> <p>1 Q. What did you review, was there a 2 confirmation e-mail or confirmation memo? 3 A. I believe there was an e-mail from 4 someone in the controller's office indicating 5 thereafter FOAPAL was available for her to 6 access. 7 Q. Any other documentation that you recall 8 reviewing in connection with Ruth Briggs' 9 termination? 10 A. A draft of the termination letter. 11 Q. Anything else? 12 A. Not that I recall. 13 Q. Are you aware of any information or 14 documentation that Drew DiMeo gathered that you 15 did not review? 16 A. No. 17 Q. Did you ever have a discussion with 18 Dr. Wu about terminating Miss Briggs's 19 employment? 20 A. Yes. 21 Q. How many? 22 A. Can you repeat the question? 23 Q. Sure. So I asked you first if you ever 24 had a conversation with Dr. Wu about terminating</p>	<p style="text-align: right;">Page 43</p> <p>1 Dr. Wu, initiated the request to terminate 2 Miss Briggs to Drew DiMeo? 3 A. Yes. 4 Q. Did he ever initiate the same request to 5 you? 6 A. No. 7 Q. Now, this one or two, or however many 8 conversations you had with Dr. Wu within the 9 context of discipline, when was the last time 10 that you had that type of conversation with him 11 vis-à-vis the termination date? 12 MS. SATINSKY: Objection to form. 13 THE WITNESS: I don't recall. 14 BY MR. MUNSHI: 15 Q. You used the phrase that you 16 "facilitated the analysis" of Dr. Wu's request. 17 What do you mean by facilitate the 18 analysis? 19 A. I will get together with Drew. Have 20 some discussions, you know, about what he would 21 need to do and how he would need to proceed. 22 That information would then get conveyed to 23 labor relations, Deirdre Walton's group. 24 So it would be coordinating Dr. Wu,</p>
<p style="text-align: right;">Page 42</p> <p>1 Miss Briggs' employment. You said yes. I said 2 how many conversations? 3 A. Maybe one or two in the context of 4 discipline in Dr. Wu would save up a series of 5 mistakes and errors and problems and come in 6 after the fact and say, "Here's six items that 7 she screwed up over the last four months. Can 8 we do any discipline?" 9 And my answer was always no, because 10 we're not doing stuff after the fact. We're not 11 taking any type of discipline for saved up 12 mistakes. If there's a mistake and there's a 13 work rule violation, we need to address it in a 14 timely manner at the time of the infraction. 15 You can't save up a bunch of mistakes and then 16 expect to get rid of her. Once again, you have 17 to follow university work rules. 18 Q. Now, you used the phrase in the context 19 of discipline. 20 Did you ever have a discussion with 21 him in the context of termination specifically? 22 A. No. It would be discipline, if he has 23 an issue, we follow the work rule discipline. 24 Q. Now, is it your understanding that he,</p>	<p style="text-align: right;">Page 44</p> <p>1 Drew, labor relations, making sure that 2 everybody is following the same work rules and 3 guidance. 4 Q. Did you in fact do any sort of analysis? 5 A. I mean once I get the information, I 6 will look at work rules and concur with an 7 opinion. 8 Q. And again, I don't want to talk about in 9 general or typically. I am talking about 10 specifically here because you said "I would" or 11 "I will." 12 Just specifically here, did you do 13 an analysis as to whether or not Miss Briggs 14 should be terminated? 15 A. Yes. 16 Q. Is there any other information that you 17 had at your disposal beyond what you already 18 told me that you reviewed as part of your 19 analysis? 20 MS. SATINSKY: Objection to form. 21 THE WITNESS: Not that I recall. 22 BY MR. MUNSHI: 23 Q. Any other conversations you had with 24 Drew DiMeo regarding the termination of Ruth</p>

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<p style="text-align: right;">Page 45</p> <p>1 Briggs beyond what you already told me?</p> <p>2 A. No.</p> <p>3 Q. Any other conversations with Dr. Wu</p> <p>4 beyond what you already told me regarding</p> <p>5 terminating Miss Briggs?</p> <p>6 A. No.</p> <p>7 Q. Did you ever reach a conclusion as to</p> <p>8 whether or not Miss Briggs should be terminated?</p> <p>9 A. Yes.</p> <p>10 Q. Did you express that to anybody?</p> <p>11 A. Labor relations.</p> <p>12 Q. Who in labor relations?</p> <p>13 A. It would be Deirdre Walton.</p> <p>14 Q. Anybody else in labor relations besides</p> <p>15 Deirdre Walton that you had a conversation --</p> <p>16 A. Not that I recall.</p> <p>17 Q. Anyone else in human relations you ever</p> <p>18 spoke with besides Deirdre Walton about</p> <p>19 terminating Miss Briggs's employment?</p> <p>20 A. Not that I recall.</p> <p>21 Q. Did you provide labor relations with any</p> <p>22 sort of documentation regarding the termination</p> <p>23 of Ruth Briggs?</p> <p>24 A. Yes.</p>	<p style="text-align: right;">Page 47</p> <p>1 A. I thought it was provided.</p> <p>2 Q. My question is just about what you did.</p> <p>3 I will ask the other people what they did. Just</p> <p>4 about what you did.</p> <p>5 A. I don't recall.</p> <p>6 Q. Did anybody at any point express to you</p> <p>7 their request to terminate Ruth Briggs?</p> <p>8 A. I mean Drew saying Dr. Wu wanted to</p> <p>9 proceed with discipline and termination. That</p> <p>10 was what started it.</p> <p>11 Q. I understand Drew is expressing to you</p> <p>12 what Dr. Wu said to him; correct?</p> <p>13 A. Yes.</p> <p>14 Q. Did Drew offer you any sort of an</p> <p>15 opinion or was he just relaying to you what</p> <p>16 Dr. Wu said to him?</p> <p>17 A. I don't know.</p> <p>18 Q. Did you have any discussions with</p> <p>19 Deirdre Walton or anybody else in labor</p> <p>20 relations about terminating Ruth Briggs?</p> <p>21 MS. SATINSKY: Objection. Asked and</p> <p>22 answered.</p> <p>23 You can answer.</p> <p>24 THE WITNESS: It would be Deirdre.</p>
<p style="text-align: right;">Page 46</p> <p>1 Q. What did you provide?</p> <p>2 A. Some of the information that Drew would</p> <p>3 have provided.</p> <p>4 Q. That Drew provided to you?</p> <p>5 A. Yes.</p> <p>6 Q. You told me about the correspondence</p> <p>7 regarding the accounting department and FOAPAL.</p> <p>8 Any other documentation that you are</p> <p>9 talking about?</p> <p>10 A. It would be the termination letter.</p> <p>11 They would have sent me a draft. We would have</p> <p>12 made some changes and went back and forth with</p> <p>13 it.</p> <p>14 Q. Any other documentation that you</p> <p>15 provided to labor relations?</p> <p>16 A. Not that I recall.</p> <p>17 Q. Do you recall forwarding an e-mail about</p> <p>18 FOAPAL to labor relations or drafting one</p> <p>19 yourself?</p> <p>20 A. There was an e-mail to that effect. I</p> <p>21 can't remember whether I crafted that or Drew</p> <p>22 DiMeo crafted that.</p> <p>23 Q. But you are sure you provided it to</p> <p>24 labor relations?</p>	<p style="text-align: right;">Page 48</p> <p>1 BY MR. MUNSHI:</p> <p>2 Q. How many conversations do you recall</p> <p>3 having with her regarding terminating Ruth</p> <p>4 Briggs?</p> <p>5 A. It would be based on the work rules and</p> <p>6 the incident at the time, the incident that</p> <p>7 occurred.</p> <p>8 Q. Sorry. My question was how many</p> <p>9 conversations?</p> <p>10 A. I don't recall.</p> <p>11 Q. Do you recall if it was more than one?</p> <p>12 A. There might have been one or two.</p> <p>13 Q. Was this in person or over the phone?</p> <p>14 A. Most of them would have been over the</p> <p>15 phone.</p> <p>16 Q. Again, I am going to tell you not in</p> <p>17 general and not typically. Just specifically.</p> <p>18 If you don't recall, you can tell me you don't</p> <p>19 recall.</p> <p>20 A. Yeah, I don't recall.</p> <p>21 Q. Did you express to Deirdre Walton that</p> <p>22 it was Dr. Wu's request to terminate Ruth</p> <p>23 Briggs?</p> <p>24 A. I would say yes.</p>

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<p style="text-align: right;">Page 49</p> <p>1 Q. Do you know if Dr. Wu spoke with 2 Miss Walton about Ruth Briggs and terminating 3 her? 4 A. I do not know. 5 Q. Do you know if Dr. Wu at any point spoke 6 with Miss Walton about Ruth Briggs? 7 A. I do not know. 8 Q. Are you aware, prior to the termination 9 decision in 2014, if Dr. Wu ever spoke with 10 Deirdre Walton about Ruth Briggs's performance? 11 MS. SATINSKY: Objection to form and 12 objection asked and answered. 13 You can answer the question. 14 THE WITNESS: I do not know. 15 BY MR. MUNSHI: 16 Q. Anything else you recall saying to 17 Miss Walton regarding Miss Briggs's termination? 18 MS. SATINSKY: Objection to form. 19 THE WITNESS: No. 20 BY MR. MUNSHI: 21 Q. Are you aware if Drew DiMeo ever spoke 22 with Deirdre Walton about Ruth Briggs' 23 termination? 24 A. No.</p>	<p style="text-align: right;">Page 51</p> <p>1 conversations with Sandy Foehl about numerous 2 situations. I can't recall one specific about 3 Ruth. 4 BY MR. MUNSHI: 5 Q. Just so I am clear, when you say you 6 have had numerous conversations with Sandy 7 Foehl, you are talking about in general about a 8 lot of things or just -- 9 A. In general about a lot of things. Once 10 again, you get all of the labor relations, HR, 11 and any type of complaints that come through the 12 college end up on my desk. 13 I don't recall anything specific 14 about Ruth. 15 Q. Are you aware of any documentation 16 beyond the termination letter which specifies as 17 to why Miss Briggs was terminated? 18 MS. SATINSKY: Objection to form. 19 THE WITNESS: She resigned. 20 BY MR. MUNSHI: 21 Q. What is your understanding of her 22 resignation? 23 A. She resigned. 24 Q. Dr. Wu recommended her termination;</p>
<p style="text-align: right;">Page 50</p> <p>1 Q. Are you aware if Drew DiMeo ever spoke 2 with Deirdre Walton about Ruth Briggs in 3 general? 4 A. No. 5 Q. Are you aware if Drew DiMeo ever sent 6 Deirdre Walton any documentation or e-mails or 7 correspondence regarding Ruth Briggs? 8 A. I don't recall. 9 Q. Is there anyone else who played any role 10 in the decision to terminate Ruth Briggs beyond 11 the folks you have told me about? 12 MS. SATINSKY: Objection to form. 13 THE WITNESS: Not that I'm aware of. 14 BY MR. MUNSHI: 15 Q. Did you ever have a discussion with 16 Sandy Foehl about Ruth Briggs? 17 A. I don't recall. 18 Q. And my question was broad. Not just 19 about termination. About anything. 20 Any recollection of any conversation 21 with Sandy Foehl about Ruth Briggs in general? 22 MS. SATINSKY: Objection. Asked and 23 answered. 24 THE WITNESS: I've had numerous</p>	<p style="text-align: right;">Page 52</p> <p>1 correct? 2 MS. SATINSKY: Objection. Asked and 3 answered three times. 4 It is the last time you are going to 5 answer that question, Greg. 6 THE WITNESS: He recommended that we 7 proceed with university work rules. 8 BY MR. MUNSHI: 9 Q. In what format did Ruth Briggs resign? 10 Was it in person to you, was it over the phone, 11 was it by e-mail? 12 A. I believe it was an e-mail to Deirdre 13 Walton or labor relations. 14 Q. Is it your testimony that Ruth Briggs 15 was not fired by Temple? 16 A. Yes, as far as I know. 17 MS. SATINSKY: Before we go into 18 documents, can we take a break? 19 MR. MUNSHI: Yes. 20 (Recess.) 21 BY MR. MUNSHI: 22 Q. Mr. Wacker, was there anybody else over 23 at Temple who you discussed the termination of 24 Ruth Briggs' employment besides the people you</p>

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<p style="text-align: right;">Page 53</p> <p>1 have already told me about?</p> <p>2 MS. SATINSKY: Objection. Asked and</p> <p>3 answered.</p> <p>4 THE WITNESS: No.</p> <p>5 BY MR. MUNSHI:</p> <p>6 Q. Did you ever consider putting Ruth</p> <p>7 Briggs on a performance improvement plan?</p> <p>8 A. I believe that is what was being done by</p> <p>9 interjecting Drew into meeting with her and</p> <p>10 Dr. Wu.</p> <p>11 Q. Is there a formal performance</p> <p>12 improvement plan system at Temple?</p> <p>13 MS. SATINSKY: Objection to form.</p> <p>14 THE WITNESS: Not that I'm aware of.</p> <p>15 BY MR. MUNSHI:</p> <p>16 Q. Is there any sort of documentation that</p> <p>17 you are aware of that states any goals or</p> <p>18 objectives that Ruth Briggs had to meet by</p> <p>19 certain periods of time?</p> <p>20 A. There is an annual performance</p> <p>21 development plan that the supervisor and the</p> <p>22 employee are supposed to be meeting and going</p> <p>23 over and discussing those issues.</p> <p>24 Hence Drew was put into the equation</p>	<p style="text-align: right;">Page 55</p> <p>1 was previously marked as P-19. I will give you</p> <p>2 a moment to review that.</p> <p>3 A. (Pause.)</p> <p>4 Okay.</p> <p>5 Q. This is a letter dated April 1st, 2014,</p> <p>6 signed by you; correct?</p> <p>7 A. Yes.</p> <p>8 Q. And the last sentence of the letter</p> <p>9 states, "Effective the end of the day today,</p> <p>10 your employment at Temple University is being</p> <p>11 terminated."</p> <p>12 Do you see that?</p> <p>13 A. Yes.</p> <p>14 Q. And did you draft this letter?</p> <p>15 A. I drafted it in consultation with labor</p> <p>16 relations, Deirdre Walton.</p> <p>17 Q. Did you write the first draft of this</p> <p>18 letter?</p> <p>19 A. I don't recall.</p> <p>20 Q. Did you ever share a draft or the final</p> <p>21 form of this letter with Dr. Wu?</p> <p>22 A. I don't recall.</p> <p>23 Q. The first sentence of the letter</p> <p>24 says, "Over the last week, we have investigated</p>
<p style="text-align: right;">Page 54</p> <p>1 to make sure that Ruth and Dr. Wu would meet</p> <p>2 weekly and discuss what's coming up the next</p> <p>3 week, what needed to be done in terms of the</p> <p>4 work for that upcoming week.</p> <p>5 Q. And whose decision was it to place Drew</p> <p>6 DiMeo in that position?</p> <p>7 A. Mine, in conjunction with talking to one</p> <p>8 of the other senior associate deans.</p> <p>9 Q. Who is that person?</p> <p>10 A. At the time that would have been Ralph</p> <p>11 Jenkins. He's deceased.</p> <p>12 Q. Approximately when did Drew DiMeo begin</p> <p>13 that role?</p> <p>14 A. I believe when he was hired. I'm going</p> <p>15 to say five, six years ago.</p> <p>16 Q. This role that Drew DiMeo had where he</p> <p>17 would be meeting with Dr. Wu and Ruth Briggs,</p> <p>18 did that take place over months or years? How</p> <p>19 long would that go on?</p> <p>20 A. I don't know how long the overlap was,</p> <p>21 but as long as Drew and Ruth were both in their</p> <p>22 positions, they were -- Drew was interjected to</p> <p>23 help facilitate between Dr. Wu and Ruth.</p> <p>24 Q. Let's take a look at this document that</p>	<p style="text-align: right;">Page 56</p> <p>1 two work-related items that were brought to the</p> <p>2 dean's office attention."</p> <p>3 When it says "we," who is that</p> <p>4 referring to?</p> <p>5 A. It would be Drew, Drew DiMeo.</p> <p>6 Q. Then in the first bullet point there is</p> <p>7 a paragraph regarding March 20th, 2014.</p> <p>8 Do you see that?</p> <p>9 A. Yes.</p> <p>10 Q. It says, "On March 20th, 2014, at 3:56</p> <p>11 p.m., you were instructed to complete a Concur</p> <p>12 travel expense reimbursement for Dr. Wu by the</p> <p>13 end of the workday."</p> <p>14 Who gave you that information?</p> <p>15 A. It would have come from Dr. Wu and Drew.</p> <p>16 Q. Do you recall having a conversation with</p> <p>17 Dr. Wu about this reimbursement issue?</p> <p>18 A. I do not recall.</p> <p>19 Q. So who did you get this information from</p> <p>20 that you do recall?</p> <p>21 A. It would have been through Drew.</p> <p>22 Q. We already talked about FOAPAL,</p> <p>23 F-O-A-P-A-L?</p> <p>24 A. Yes.</p>

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<p style="text-align: right;">Page 57</p> <p>1 Q. What is that, generally?</p> <p>2 A. It is a six-digit accounting number that</p> <p>3 ties into where his expense would be charged to.</p> <p>4 Q. It says here, "At 5:30 p.m. you --</p> <p>5 meaning Ruth Briggs -- "contacted Drew and</p> <p>6 indicated that the FOAPAL was still not</p> <p>7 available in Concur."</p> <p>8 What is Concur?</p> <p>9 A. That's the university electronic</p> <p>10 reimbursement system for travel.</p> <p>11 Q. How did you learn that information, that</p> <p>12 Ruth Briggs had contacted Drew?</p> <p>13 A. From Drew.</p> <p>14 Q. Then it says, "Drew confirmed the FOAPAL</p> <p>15 was available."</p> <p>16 Did you learn that from Drew as</p> <p>17 well?</p> <p>18 A. Yes.</p> <p>19 Q. It says, "You failed to complete the</p> <p>20 task as requested. On Friday, you met with</p> <p>21 Dr. Wu and Drew as scheduled."</p> <p>22 Were you present for that meeting?</p> <p>23 A. I was not.</p> <p>24 Q. Did Drew tell you on that night of</p>	<p style="text-align: right;">Page 59</p> <p>1 and combative with you?</p> <p>2 A. No.</p> <p>3 Q. Why not?</p> <p>4 A. At this point, she didn't report to me.</p> <p>5 It is an issue that had to be taken up with</p> <p>6 Dr. Wu and work rules.</p> <p>7 Q. When she said to you that she didn't</p> <p>8 have access to this information, did you think</p> <p>9 that she was lying?</p> <p>10 A. Drew confirmed that it was there.</p> <p>11 Q. I understand that.</p> <p>12 A. Drew confirmed that it was there.</p> <p>13 Q. I understand that. But she was also</p> <p>14 saying to you that she didn't have access to it;</p> <p>15 right?</p> <p>16 A. She indicated that, yes.</p> <p>17 Q. So there was a discrepancy between the</p> <p>18 two, you understood that; right?</p> <p>19 A. Yes.</p> <p>20 Q. So did you think that Ruth Briggs was</p> <p>21 lying?</p> <p>22 A. No. There --</p> <p>23 Q. Is it possible -- sorry.</p> <p>24 MS. SATINSKY: You can go ahead and</p>
<p style="text-align: right;">Page 58</p> <p>1 March 20th that in fact the information was</p> <p>2 available?</p> <p>3 MS. SATINSKY: Objection to form.</p> <p>4 THE WITNESS: Yes.</p> <p>5 BY MR. MUNSHI:</p> <p>6 Q. Did you ever talk to Ruth Briggs about</p> <p>7 this situation, the FOAPAL?</p> <p>8 A. Yes.</p> <p>9 Q. Did you have that conversation with Ruth</p> <p>10 Briggs prior to April 1, 2014?</p> <p>11 A. I believe at the time of the incident,</p> <p>12 the discussion, she became -- once again, we</p> <p>13 were in the general office with Drew and we were</p> <p>14 in the office -- I was in the office with Drew,</p> <p>15 office area with Drew. Ruth came in and this</p> <p>16 issue was brought up and she was argumentative</p> <p>17 and combative in the office at that time. That</p> <p>18 the FOAPAL wasn't there. That, you know, she</p> <p>19 doesn't have access to it, that we're lying and</p> <p>20 it's not -- she was argumentative and persistent</p> <p>21 that the FOAPAL was not available for her to</p> <p>22 see.</p> <p>23 Q. Is there anything in this letter dated</p> <p>24 April 1st, 2014, about her being argumentative</p>	<p style="text-align: right;">Page 60</p> <p>1 finish your answer.</p> <p>2 THE WITNESS: Did she believe that</p> <p>3 it was not there? Yes. Was she correct in that</p> <p>4 assumption? No. Did she not know how to access</p> <p>5 it? That was more likely the solution.</p> <p>6 BY MR. MUNSHI:</p> <p>7 Q. Is it possible that there was some sort</p> <p>8 of a tech issue that resulted in her not being</p> <p>9 able to access it even though Drew confirmed it</p> <p>10 was available?</p> <p>11 A. No.</p> <p>12 Q. Is it possible that she was locked out</p> <p>13 for one reason or another?</p> <p>14 MS. SATINSKY: Objection to form.</p> <p>15 THE WITNESS: Not that I'm aware of.</p> <p>16 BY MR. MUNSHI:</p> <p>17 Q. Are you aware if she had ever used the</p> <p>18 FOAPAL system before?</p> <p>19 A. Yes. She uses the FOAPAL system for all</p> <p>20 of the travel reimbursements that she puts in.</p> <p>21 Q. And are you aware if she had ever used</p> <p>22 the Concur system before?</p> <p>23 A. Yes, she has used the Concur system</p> <p>24 before.</p>

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<p style="text-align: right;">Page 61</p> <p>1 Q. And prior to March 20th, 2014, do you 2 recall any instance where Ruth Briggs had said 3 to you, "I can't access the information in these 4 systems"?</p> <p>5 MS. SATINSKY: Objection to form. 6 THE WITNESS: Not that I recall. 7 BY MR. MUNSHI: 8 Q. Had Temple been using FOAPAL and Concur 9 for years prior to this time? 10 A. I'm not sure of the length. You have to 11 check with the IT group. 12 Q. It says here that during this meeting 13 between Ruth, Dr. Wu, and Drew that she became 14 argumentative and unprofessional." 15 How did you learn that information? 16 A. From Drew. 17 Q. What did he tell you? 18 A. That she was being unprofessional, 19 screaming, yelling, that Dr. Wu and her were 20 liars. 21 Q. Where did the conversation take place? 22 A. I believe in Dr. Wu's office or the main 23 CIS office. 24 Q. Did anybody complain to you that they</p>	<p style="text-align: right;">Page 63</p> <p>1 THE WITNESS: Possibly Deirdre in 2 HR. 3 BY MR. MUNSHI: 4 Q. Do you have a specific recollection of 5 that? 6 A. Yes, I would have. 7 Q. What do you recall talking to Deirdre 8 Walton about? 9 A. About these two incidents and the 10 discipline that should go with it. 11 Q. Did you provide her with any additional 12 information besides the few sentences in the 13 second bullet point? 14 MS. SATINSKY: Objection to form. 15 Asked and answered. 16 BY MR. MUNSHI: 17 Q. Regarding this hotel issue? 18 A. It would have been provided with 19 whatever Drew was able to provide and Dr. Wu. 20 Q. Did you provide Deirdre Walton or 21 anybody in labor relations with any 22 correspondence or documentation regarding the 23 issues set forth in the second bullet point? 24 MS. SATINSKY: Objection. Asked and</p>
<p style="text-align: right;">Page 62</p> <p>1 had heard Ruth yelling? 2 A. No. 3 Q. Did you ever hear about that incident 4 beyond from what Drew told you? 5 A. No. 6 Q. Did you ever talk to Dr. Wu about that 7 incident? 8 A. No. 9 Q. The second bullet point here, in this 10 April 1st, 2014, letter that you signed, it is 11 regarding a room reservation for the wrong date. 12 Do you see that? 13 A. Yes. 14 Q. Who gave you that information? 15 A. That would be Drew. 16 Q. Anybody else? 17 A. It would be Drew in consultation with 18 Dr. Wu. 19 Q. Did you ever have a conversation with 20 Dr. Wu about this issue? 21 A. Not that I recall. 22 Q. So did you have a conversation with 23 anybody besides Drew? 24 MS. SATINSKY: Objection to form.</p>	<p style="text-align: right;">Page 64</p> <p>1 answered. You can answer it one more time, 2 Greg. 3 THE WITNESS: Whatever would have 4 been provided by Drew and Dr. Wu. 5 BY MR. MUNSHI: 6 Q. But sitting here right now, can you tell 7 me what that is? 8 A. I don't recall. 9 Q. Did you at any point ever see any 10 documentation regarding the booking of the wrong 11 dates allegedly by Ruth Briggs as set forth in 12 the second bullet point? 13 A. I don't recall. 14 Q. Did you ever ask Ruth Briggs about what 15 took place there? 16 A. No. 17 Q. Did you ever talk to Dr. Wu about it? 18 A. No. 19 Q. Just learned this from Drew DiMeo? 20 A. Once again, the normal process is that 21 the individual involved with supervising and 22 helping monitor this handles all of the details. 23 I get summary information, determine whether 24 there is sufficient documentation to proceed or</p>

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<p style="text-align: right;">Page 65</p> <p>1 not, and then that gets passed to HR/labor 2 relations. 3 Q. I know. We are talking about normal 4 procedure again. 5 MS. SATINSKY: I understand. Rahul, 6 he is entitled to testify as to what his 7 practice is, and that is what he is doing. 8 BY MR. MUNSHI: 9 Q. So I will ask the question again. Did 10 you talk to anybody else besides Drew DiMeo 11 about the second bullet point? 12 A. Possibly Deirdre Walton. 13 Q. Is it possible that Dr. Wu gave Ruth 14 Briggs the wrong dates to book? 15 MS. SATINSKY: Objection. 16 THE WITNESS: I don't know. 17 BY MR. MUNSHI: 18 Q. Then the letter continues to state that 19 Miss Briggs is in violation of the following 20 work rules. 21 Who made the decision that her 22 conduct warranted a violation of C.4 23 Negligence/Carelessness? 24 A. In consultation with labor relations,</p>	<p style="text-align: right;">Page 67</p> <p>1 termination? 2 A. Yes. 3 Q. Of the three of you, how many of those 4 conversations were there? 5 A. I don't recall. 6 Q. What was discussed? 7 A. The specific incidents that were put up 8 and the work rules that they would have violated 9 and the appropriate disciplinary action to go 10 with this. 11 Q. Is that any different from what you 12 discussed with Deirdre Walton, just the two of 13 you? 14 A. No. 15 Q. Same conversations, just one time with 16 Drew and one time without Drew; is that right? 17 A. Yes. 18 Q. "C.3, Disruptive Or Disorderly Conduct." 19 Whose decision was it to determine 20 that she violated that rule? 21 A. In consultation with Deirdre Walton and 22 HR, it was decided that that was a violation as 23 well. 24 Q. What conduct did she do that was</p>
<p style="text-align: right;">Page 66</p> <p>1 that's what was decided. 2 Q. When you say "in consultation," you mean 3 you in consultation? Who in consultation with 4 labor relations? 5 A. Drew, myself, and Deirdre Walton. 6 Q. Did you ever participate in a 7 conversation, phone or otherwise, with both 8 Deirdre and Drew together? 9 A. Yes. 10 Q. Regarding Ruth Briggs? 11 A. Yes. 12 Q. How many of those did you have? 13 A. I don't recall. 14 Q. Are these the same conversations you 15 mentioned earlier with Deirdre Walton, or are 16 these separate conversations? 17 A. I don't recall. 18 Q. Do you recall any conversations, only 19 you and Deirdre, without Drew, regarding Ruth 20 Briggs and the termination? 21 A. Yes. 22 Q. Now, separate from that, do you recall 23 any conversations with both Deirdre and Drew and 24 yourself regarding Ruth Briggs and the</p>	<p style="text-align: right;">Page 68</p> <p>1 disorderly? 2 A. The disruptive, argumentative and 3 unprofessional behavior in front of Drew and 4 Dr. Wu. 5 Q. Do you know if anyone could hear them 6 outside of the office? 7 A. I was not there. I do not know. 8 Q. So what was disruptive? 9 A. She was argumentative and 10 unprofessional. 11 Q. From what you heard; right? 12 A. From what I heard, yes. 13 Q. At any point prior to Miss Briggs' 14 termination or resignation, I guess, did you 15 learn that she had complained about Dr. Wu? 16 A. No. 17 Q. Did you ever have a discussion with 18 Deirdre Walton about Miss Briggs raising 19 concerns with her? 20 A. No. 21 Q. At any point prior to Miss Briggs' 22 employment at Temple ending, did you learn that 23 she raised any complaints or concerns with Sandy 24 Foehl?</p>

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<p style="text-align: right;">Page 69</p> <p>1 A. No.</p> <p>2 Q. How about anybody in the EEO office?</p> <p>3 A. Not that I recall.</p> <p>4 Q. Are you aware of her raising any</p> <p>5 concerns or complaints about Dr. Wu's treatment</p> <p>6 of her with anybody in the dean's office?</p> <p>7 MS. SATINSKY: Prior to the end of</p> <p>8 her employment at Temple?</p> <p>9 MR. MUNSHI: Yes.</p> <p>10 THE WITNESS: Not that I recall.</p> <p>11 BY MR. MUNSHI:</p> <p>12 Q. Did she ever complain to you directly</p> <p>13 about how Dr. Wu was treating her in the</p> <p>14 workplace?</p> <p>15 A. She may have once, at which point I</p> <p>16 would direct her to Sandy Foehl to get Sandy's</p> <p>17 group involved.</p> <p>18 Q. Is that one incident, the one you</p> <p>19 already told me about, with the alleged comment</p> <p>20 about China?</p> <p>21 A. I don't recall.</p> <p>22 Q. Putting aside the situation about the</p> <p>23 alleged comment regarding China, any other</p> <p>24 instance that you recall that she complained</p>	<p style="text-align: right;">Page 71</p> <p>1 something at ten o'clock today." Well, he sent</p> <p>2 it from his non-Temple e-mail to Ruth and she</p> <p>3 wouldn't have gotten it until after five o'clock</p> <p>4 or whatever.</p> <p>5 At which point, then, I would go</p> <p>6 back and tell Dr. Wu, "Dr. Wu, you are wrong.</p> <p>7 You can't send stuff from your non-Temple e-mail</p> <p>8 after hours and expect her to have it done in</p> <p>9 the morning."</p> <p>10 And once again, Drew was put in to</p> <p>11 help manage those things, and over time those</p> <p>12 problems went away because Dr. Wu then started</p> <p>13 using his Temple e-mail.</p> <p>14 Q. Did she ever express to you that her</p> <p>15 working relationship with Dr. Wu caused her</p> <p>16 stress?</p> <p>17 A. No.</p> <p>18 Q. Did she ever express to you that she was</p> <p>19 feeling harassed by Dr. Wu?</p> <p>20 A. Not that I'm aware of.</p> <p>21 Q. Did she ever complain to you that the</p> <p>22 workplace environment was hostile?</p> <p>23 A. Not that I'm aware of.</p> <p>24 Q. Do you recall her complaining to you</p>
<p style="text-align: right;">Page 70</p> <p>1 directly to you about Dr. Wu's treatment of her</p> <p>2 in the workplace?</p> <p>3 A. I don't recall any specific complaint</p> <p>4 that she was looking for action from me.</p> <p>5 Q. How about a general complaint?</p> <p>6 A. Well, general, she was always</p> <p>7 complaining, just in general. And as part of my</p> <p>8 consultation and management with me, you can't</p> <p>9 be argumentative with your boss. When you're</p> <p>10 asked to do tasks, do them. And that's why Drew</p> <p>11 was put in the equation, because Dr. Wu and Ruth</p> <p>12 would be seeing and hearing things differently.</p> <p>13 So Drew was in there to help make sure that this</p> <p>14 is what we're doing by when and what, to clarify</p> <p>15 any of those issues. And as far as I know,</p> <p>16 there was no issues that were brought up outside</p> <p>17 of that.</p> <p>18 Q. What was the nature of the general</p> <p>19 complaint she raised to you about Dr. Wu?</p> <p>20 A. Every once in awhile they would get into</p> <p>21 a he said/she said. If there was some work that</p> <p>22 was not performed by the right time, you know,</p> <p>23 Drew would help decipher. Ruth would come in</p> <p>24 and say, "Dr. Wu yelled at me because he wanted</p>	<p style="text-align: right;">Page 72</p> <p>1 about Dr. Wu raising his voice in the office?</p> <p>2 A. Not that I'm aware of.</p> <p>3 Q. This is a document that was previously</p> <p>4 marked as P-10. I will give you a moment to</p> <p>5 review that.</p> <p>6 A. (Pause.)</p> <p>7 Okay.</p> <p>8 Q. This is an e-mail dated October 29th,</p> <p>9 2010, from Ruth Briggs to you.</p> <p>10 Do you see that?</p> <p>11 A. Yes.</p> <p>12 Q. The subject line is, "I need advice."</p> <p>13 Do you see that?</p> <p>14 A. Yes.</p> <p>15 Q. She writes here, "Greg, I cannot come in</p> <p>16 here day in and day out not knowing if I am</p> <p>17 going to be applauded or punched. It is</p> <p>18 stressful to me and everyone around me. If I</p> <p>19 wanted to change jobs at Temple, it would be</p> <p>20 impossible because of him. Frankly, it borders</p> <p>21 on harassment. Right now he is in his office</p> <p>22 yelling in Chinese at one of his students. The"</p> <p>23 -- I think it is "then" or "the" -- "he starts</p> <p>24 complaining to Justin in Chinese about the</p>

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<p style="text-align: right;">Page 73</p> <p>1 dean's office. The environment is hostile. 2 Even faculty members have told me that they are 3 uncomfortable with the way he treats me. Ruth." 4 Do you see that? 5 A. Yes. 6 Q. When she says "he," did you understand 7 that to be Dr. Wu? 8 A. Yes. 9 Q. Did you understand when you got this 10 e-mail that she is talking to you about how 11 Dr. Wu treats her? 12 MS. SATINSKY: Objection to form. 13 THE WITNESS: I need advice, not 14 action. So she was advised. Once again, this 15 is part of my role. It is advice, and if 16 everybody that didn't get along with their boss 17 came in and was harassed, I'd have a full-time 18 job. 19 BY MR. MUNSHI: 20 Q. Which this is part of; right? 21 A. The advice given would be you need to do 22 as Dr. Wu wants, meet his deadlines. The fact 23 that he is talking in Chinese, we are an 24 international college. There's multi-languages</p>	<p style="text-align: right;">Page 75</p> <p>1 MS. SATINSKY: Objection to form. 2 THE WITNESS: Once again, the 3 conversations would have evolved to, "you're not 4 getting the work done and he's upset with you 5 because the work is not done. If you get the 6 work done, he's not upset with you." 7 BY MR. MUNSHI: 8 Q. So is the answer to my question yes or 9 no? 10 A. Can you repeat the question? 11 Q. Sure. Did you or did you not understand 12 that Miss Briggs was raising a concern or 13 complaint to you about the way Dr. Wu treated 14 her in the workplace? 15 MS. SATINSKY: Objection to form. 16 THE WITNESS: It was a concern 17 seeking advice. Not a complaint requiring 18 action. 19 BY MR. MUNSHI: 20 Q. And what is the difference between a 21 concern and a complaint? 22 A. A complaint I have to act. A concern I 23 don't have to act. A concern I need advice. 24 If I come to you for advice, you</p>
<p style="text-align: right;">Page 74</p> <p>1 being spoken, and there's no edict that the dean 2 is going to say everybody must speaking English. 3 So with that, the advice she was 4 given is to recognize that he is her boss, she 5 needs to report properly to him and get the 6 tasks done that need to get done and focus on 7 the workload, and not worry about Judy and not 8 worry about this and not worry about everything 9 but. 10 Q. Is there anything about Judy in this 11 e-mail? 12 A. No. 13 But faculty members are 14 uncomfortable. And once again, this leads into 15 bigger conversations that are advice, not 16 action. She didn't say, "he's harassing me." 17 And once again, my advice is, see the 18 appropriate group that would handle that. Sandy 19 Foehl's group, HR, would be all part of the 20 general advice that I would give her. 21 Q. Did you understand or did you not 22 understand upon getting this e-mail that 23 Miss Briggs had concerns or complaints about how 24 Dr. Wu was treating her in the workplace?</p>	<p style="text-align: right;">Page 76</p> <p>1 know, I'm not asking you to act and do 2 something. I'm asking you for an opinion 3 advice, how should I handle this, what should I 4 do. 5 Q. And that difference between a concern 6 and a complaint that you just told me, is that 7 Temple's policy or your policy or what? 8 MS. SATINSKY: Objection to form. 9 THE WITNESS: It's not a policy. 10 It's advice. 11 BY MR. MUNSHI: 12 Q. Did you ever see anywhere written down a 13 Temple document that says there is a difference 14 between someone raising a concern and raising a 15 complaint? 16 A. Not that I'm aware of. 17 Q. When somebody raises a complaint, do 18 they have to use any special language or magic 19 language saying, "now I'm raising a complaint"? 20 MS. SATINSKY: Objection to form. 21 THE WITNESS: Can you repeat the 22 question? 23 BY MR. MUNSHI: 24 Q. Yes.</p>

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<p style="text-align: right;">Page 77</p> <p>1 When an employee goes to you and 2 gives you information, is there any special or 3 magic language they have to use to say, 4 "Mr. Wacker, I am now making a complaint?" 5 A. I will -- 6 MS. SATINSKY: Objection to form. 7 Go ahead. 8 THE WITNESS: I will ask them, "Is 9 this a formal complaint that you want me to act 10 on, or no?" 11 BY MR. MUNSHI: 12 Q. Did you ask Miss Briggs that question 13 with regard to this e-mail? 14 A. I don't recall the exact details, but I 15 would encourage her to file a complaint if she 16 felt she was. 17 Q. Again, I am going to ask you about your 18 specific recollection. Not what you would do. 19 Did you talk to Ruth Briggs about 20 this e-mail? 21 A. Yes. 22 Q. What do you recall talking to her about? 23 A. Focus on your work and completing the 24 work for Dr. Wu and stop focusing on all the</p>	<p style="text-align: right;">Page 79</p> <p>1 e-mail? 2 A. I don't recall. 3 Q. Any reason why you wouldn't? 4 MS. SATINSKY: Objection to form. 5 It misstates testimony. 6 THE WITNESS: What would be done is 7 Drew would be pulled in as part of the 8 consultation and helping manage Dr. Wu and Ruth. 9 BY MR. MUNSHI: 10 Q. And as of October 29th, 2010, do you 11 recall if Drew DiMeo was in fact playing that 12 role? 13 A. I don't recall. 14 Q. You see he is not cc'd on this e-mail? 15 A. Yeah, yeah. I don't recall. 16 Q. Do you ever tell Dr. Wu that a 17 subordinate of his has now said to you that she 18 thinks the environment is hostile? 19 A. I don't recall. 20 Q. Do you recall talking to Dr. Wu that one 21 of his subordinates writes to you in an e-mail 22 that, quote, it borders on harassment? 23 A. I don't recall. 24 Q. In your normal course and practice,</p>
<p style="text-align: right;">Page 78</p> <p>1 other things that you're focusing on, which 2 would include worrying about his students, Judy 3 Lennon and others. That you need to focus on 4 your workload. You work for Dr. Wu. You need 5 to accommodate his needs and make sure that his 6 work is completed and accurate. Okay? 7 Q. Did you ask her why she felt the 8 environment was hostile? 9 A. She was not completing work and 10 getting -- Dr. Wu would then have a conversation 11 with her about the work not being completed. 12 And I -- 13 Q. Could -- go ahead. 14 A. I assume she interpreted that as him 15 yelling at her, which I was not there to hear or 16 see. 17 Q. Is it possible for both those things to 18 happen at the same time, that one, she is not 19 doing her work, and two, the environment is 20 hostile? 21 MS. SATINSKY: Objection to form. 22 THE WITNESS: Is it possible? Yes. 23 BY MR. MUNSHI: 24 Q. Did you ever talk to Dr. Wu about this</p>	<p style="text-align: right;">Page 80</p> <p>1 would that be something that you would do, tell 2 the manager about whom there are these concerns 3 being raised that they are happening? 4 A. Once again, I believe Drew was involved 5 in managing this situation and I was leaving him 6 manage it. And my advice is if there's a 7 complaint, file a formal complaint, because she 8 would be the only one that can file that. 9 Q. Just looking at this e-mail here, P-10, 10 did you consider this to be a serious issue? 11 MS. SATINSKY: Objection to form. 12 THE WITNESS: Concern that should 13 have continual monitoring, which there was 14 someone there monitoring in terms of Drew DiMeo, 15 I believe. 16 BY MR. MUNSHI: 17 Q. When you said "concern," who is 18 concerned? You are concerned? Who is 19 concerned? 20 A. Well, my concern, yes. If this activity 21 is going on, it is something to be concerned 22 with. 23 However, this was advice on how to 24 do and what to do.</p>

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<p style="text-align: right;">Page 81</p> <p>1 Q. Did you inform human resources that you 2 received an e-mail from Miss Briggs talking 3 about bordering on harassment and the 4 environment being hostile? 5 A. I don't recall. 6 Q. Would that be in your normal course and 7 practice to do? 8 A. I don't recall. 9 Q. Now, you have said that employees have 10 the ability to come to you and ask for 11 consultation or advice. 12 A. Yes. 13 Q. Do you raise all the times that someone 14 comes to you with HR? 15 A. Is it required? 16 Q. No. In your normal course and practice 17 as you have been discussing here, do you raise 18 everything with HR that somebody comes to you 19 with? 20 A. No. 21 Q. So you have the discretion to go to HR 22 or not? 23 A. Yes. 24 Q. So when do you go to HR and when do you</p>	<p style="text-align: right;">Page 83</p> <p>1 BY MR. MUNSHI: 2 Q. Anything else beyond what you said? I 3 am giving you the opportunity. 4 A. No. 5 Q. Let's take a look at this document, 6 which is P-11. 7 A. (Pause.) 8 Okay. 9 Q. Do you see here, Mr. Wacker, that P-11 10 on the bottom is the same e-mail I just showed 11 you before? 12 A. Yes. 13 MS. SATINSKY: At what? You said 14 "the same e-mail I just showed you before." To 15 what are you referring? 16 THE WITNESS: The other one, except 17 now it is forwarded. 18 MR. MUNSHI: P-10. 19 BY MR. MUNSHI: 20 Q. At the top of P-11, you are forwarding 21 Miss Briggs' e-mail to you to Deirdre Walton. 22 Do you see that? 23 A. Yes. 24 Q. I guess it is Deirdre Culbreath-Walton.</p>
<p style="text-align: right;">Page 82</p> <p>1 not go to HR in your normal course and practice? 2 MS. SATINSKY: Objection to form. 3 THE WITNESS: Anything that would be 4 an EEOC type of violation. Anything that I know 5 that is a violation of a university work rule. 6 I mean they are the easiest. 7 BY MR. MUNSHI: 8 Q. Did you see an EEOC violation or 9 violation of work rule in what Ruth Briggs 10 e-mailed you about? 11 A. Once again, no. She was asking for 12 advice, not action. 13 Q. And in the normal course and practice in 14 your role, are there any other types of issues 15 that you would go to HR on? 16 MS. SATINSKY: Objection. Asked and 17 answered. 18 You can answer it one more time. 19 BY MR. MUNSHI: 20 Q. Unless you want to stick to your 21 previous answer. I am saying anything else. 22 MS. SATINSKY: His previous answer 23 was, Rahul, that he goes in certain 24 circumstances, among others.</p>	<p style="text-align: right;">Page 84</p> <p>1 But it is the same Deirdre Walton in labor 2 relations we have been talking about; is that 3 right? 4 A. Yes. 5 Q. You write here, "I will call you later 6 to discuss." 7 Do you see that? 8 A. Yes. 9 Q. Why did you forward this e-mail from 10 Ruth Briggs over to HR? 11 A. I don't recall. 12 Q. Is it because what Miss Briggs raised to 13 you had to deal with an EEOC issue? 14 MS. SATINSKY: Objection to form. 15 Asked and answered. 16 THE WITNESS: No. 17 BY MR. MUNSHI: 18 Q. Was it because there was a potential 19 violation of a rule? 20 A. Not necessarily. Because I needed 21 advice. 22 Q. What did you need advice on? 23 A. Deirdre. Is there anything here that we 24 need to be concerned with?</p>

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<p style="text-align: right;">Page 85</p> <p>1 Just like Ruth reached out to me for 2 advice, I reached out to Deirdre for advice. 3 Q. So what did you discuss with Deirdre? 4 A. I don't recall. 5 Q. Did you tell Dr. Wu that you spoke with 6 Deirdre? 7 A. I do not recall. 8 Q. Is it possible you did? 9 MS. SATINSKY: Objection to form. 10 THE WITNESS: Is it possible? Yes. 11 BY MR. MUNSHI: 12 Q. Did you go back to Ruth after speaking 13 with Deirdre about her e-mail? 14 A. I do not recall. 15 Q. Do you recall if Deirdre did in fact 16 give you any advice? 17 A. I don't recall. 18 Q. From Day 1 of your employment with 19 Temple, were you considered a manager? 20 A. Yes. 21 Q. Besides the e-mail we just looked at 22 where Miss Briggs says the environment is 23 hostile, has any other employee ever said words 24 to that effect to you that the environment is</p>	<p style="text-align: right;">Page 87</p> <p>1 BY MR. MUNSHI: 2 Q. Is it possible that you did talk to 3 Dr. Wu about this? 4 MS. SATINSKY: Objection. Asked and 5 answered. Misstates testimony. Rahul, you 6 continue to do this. He answered the question 7 already and his testimony was, "Is it possible?" 8 "Yes". You are now asking him the same exact 9 question. 10 BY MR. MUNSHI: 11 Q. Prior my question was is it possible you 12 talked to Dr. Wu about your conversation with 13 Deirdre. 14 This question is, is it possible you 15 talked to Dr. Wu about the e-mail from Ruth 16 Briggs? 17 MS. SATINSKY: And that question was 18 already answered as well. 19 BY MR. MUNSHI: 20 Q. Say the answer again. 21 A. I said no. 22 Q. So that one is no. Now I got lost. 23 A. What was the question? 24 MS. SATINSKY: You just said it,</p>
<p style="text-align: right;">Page 86</p> <p>1 hostile or the working environment is hostile? 2 A. Not that I'm aware of. 3 Q. She writes here in the e-mail that it 4 borders on harassment. Did any other employee 5 during your tenure at Temple ever say to you 6 that conduct borders on harassment or is 7 harassment? 8 MS. SATINSKY: Objection to form. 9 THE WITNESS: Not that I'm aware of. 10 BY MR. MUNSHI: 11 Q. In your experience as a manager at 12 Temple for over ten years now, do you think it 13 is a good idea to talk to the manager about whom 14 workplace complaints or concerns are raised? 15 MS. SATINSKY: Objection to form. 16 THE WITNESS: Can you repeat the 17 question? 18 BY MR. MUNSHI: 19 Q. Sure. Based on your experience over ten 20 years as a manager at Temple, do you think it is 21 a good idea to talk to the manager about whom 22 workplace complaints are being raised? 23 MS. SATINSKY: Objection to form. 24 THE WITNESS: Yes.</p>	<p style="text-align: right;">Page 88</p> <p>1 Rahul. You're confusing him because you're 2 asking a question and then you're changing the 3 question. Your first question to him was, is it 4 possible that he had a conversation. Right? 5 And I objected to that question. 6 Then you asked him did you have a 7 conversation with Dr. Wu about Ruth Briggs' 8 e-mail, and he said no. 9 MR. MUNSHI: Right. 10 BY MR. MUNSHI: 11 Q. So this question was just "possible." 12 Because now it sounded like you said no. 13 Let me just ask again and she can 14 object and you can give your answer whatever it 15 is. 16 Is it possible that you spoke with 17 Dr. Wu about Ruth Briggs' e-mail to you dated 18 October 29th, 2010? 19 MS. SATINSKY: Objection. Asked and 20 answered. 21 You can answer it again, Greg. 22 THE WITNESS: Is it possible? Yes. 23 BY MR. MUNSHI: 24 Q. Did you ever have any conversations with</p>

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<p style="text-align: right;">Page 89</p> <p>1 human resources about Ruth Briggs' performance?</p> <p>2 MS. SATINSKY: Objection. Asked and</p> <p>3 answered.</p> <p>4 You can answer it again, Greg.</p> <p>5 THE WITNESS: Can you repeat the</p> <p>6 question?</p> <p>7 BY MR. MUNSHI:</p> <p>8 Q. Yes.</p> <p>9 Did you ever have any conversations</p> <p>10 with HR about Ruth Briggs' performance,</p> <p>11 performance deficiencies?</p> <p>12 MS. SATINSKY: Objection. Asked and</p> <p>13 answered.</p> <p>14 THE WITNESS: The performance, as it</p> <p>15 relates to her performance development? No. As</p> <p>16 it relates to specific work-related incidents?</p> <p>17 Yes.</p> <p>18 BY MR. MUNSHI:</p> <p>19 Q. Any workplace-related incident beyond</p> <p>20 what we already talked about?</p> <p>21 A. Not that I recall.</p> <p>22 Q. This is a document that was previously</p> <p>23 marked as P-12.</p> <p>24 A. (Pause.)</p>	<p style="text-align: right;">Page 91</p> <p>1 A. Yes.</p> <p>2 Q. Did you inform Ralph Jenkins that</p> <p>3 approximately three weeks earlier you had just</p> <p>4 gotten an e-mail from Ruth Briggs regarding her</p> <p>5 feelings of Dr. Wu?</p> <p>6 MS. SATINSKY: Objection to form.</p> <p>7 THE WITNESS: I don't recall.</p> <p>8 BY MR. MUNSHI:</p> <p>9 Q. In your normal course and practice</p> <p>10 within your role, is that something you would</p> <p>11 have discussed with Mr. Jenkins?</p> <p>12 MS. SATINSKY: Objection to form.</p> <p>13 THE WITNESS: Possibly.</p> <p>14 BY MR. MUNSHI:</p> <p>15 Q. Did you ever discuss Dr. Wu's letter,</p> <p>16 P-12, with human relations or labor relations?</p> <p>17 A. I don't recall.</p> <p>18 Q. This was previously marked as P-13.</p> <p>19 A. (Pause.)</p> <p>20 Q. Have you had a chance to review P-13,</p> <p>21 Mr. Wacker?</p> <p>22 A. Yes.</p> <p>23 Q. Do you see this is an e-mail from an</p> <p>24 individual named Sharon Boyle?</p>
<p style="text-align: right;">Page 90</p> <p>1 Okay.</p> <p>2 Q. The first page of P-12 is an e-mail from</p> <p>3 Dr. Wu to Ralph Jenkins. That is the gentleman</p> <p>4 who you mentioned earlier; right?</p> <p>5 A. Okay.</p> <p>6 Q. And Mr. Jenkins then forwards it over to</p> <p>7 you. Do you see that?</p> <p>8 A. Yes.</p> <p>9 Q. Do you recall reviewing the attachment</p> <p>10 letter from Dr. Wu back when you received it?</p> <p>11 A. I don't recall.</p> <p>12 Q. Do you recall any conversations with</p> <p>13 Ralph Jenkins regarding Dr. Wu's attached</p> <p>14 letter?</p> <p>15 A. There was multiple conversations related</p> <p>16 to work, Ruth's work activities with various</p> <p>17 individuals at various levels as incidents</p> <p>18 occurred.</p> <p>19 Q. Do you see here that this e-mail from</p> <p>20 Dr. Wu to Ralph Jenkins that was forwarded over</p> <p>21 to you --</p> <p>22 A. Yes.</p> <p>23 Q. -- is approximately three weeks after</p> <p>24 the e-mail that we just looked at, P-10?</p>	<p style="text-align: right;">Page 92</p> <p>1 A. Yes.</p> <p>2 Q. Do you know who Sharon Boyle is?</p> <p>3 A. Yes.</p> <p>4 Q. Who is she?</p> <p>5 A. She's in charge of HR right now.</p> <p>6 Q. Is she still at Temple?</p> <p>7 A. Yes, she is.</p> <p>8 Q. Did you ever have a discussion with</p> <p>9 Sharon Boyle about Ruth Briggs?</p> <p>10 A. I don't recall.</p> <p>11 Q. You see that on P-13 you are cc'd on</p> <p>12 this e-mail from Sharon Boyle. Do you see that?</p> <p>13 A. Yes.</p> <p>14 Q. And she writes, among other things,</p> <p>15 that, quote, Based on the discussions and</p> <p>16 information received in both meetings, there is</p> <p>17 no basis for disciplining Ruth at this time."</p> <p>18 Do you see that?</p> <p>19 A. Yes.</p> <p>20 Q. Did you participate in any meetings</p> <p>21 regarding Dr. Wu's letter?</p> <p>22 A. I don't recall.</p> <p>23 Q. Were you satisfied with human relations'</p> <p>24 handling of this matter?</p>

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<p style="text-align: right;">Page 93</p> <p>1 MS. SATINSKY: Objection to form. 2 THE WITNESS: Yes. 3 BY MR. MUNSHI: 4 Q. And did you talk to Dr. Wu about HR's 5 conclusion here? 6 A. I don't recall. 7 Q. Did you talk to Ralph Jenkins about it? 8 A. I don't recall. 9 Q. Did you talk to Ruth Briggs about it? 10 A. I don't recall. 11 Q. Do you recall talking to anybody about 12 HR's conclusion as set forth in P-13? 13 A. This is consistent with the series of 14 conversations that I had with labor relations 15 and Dr. Wu on wanting to bring up a series of 16 deficiencies over an extended period of time 17 that were not written up in a timely manner. 18 Okay? So that's consistent with the way I was 19 trying to run the interactions. 20 And once again, HR got involved in 21 this one and made the decision. There was no 22 reason for me to change it. 23 Q. Did you feel that there was anything 24 that warranted discipline of Ruth Briggs at that</p>	<p style="text-align: right;">Page 95</p> <p>1 Q. Did you hand this disciplinary report to 2 Ruth Briggs? 3 A. I don't recall. 4 Q. Whose decision was it to issue this 5 discipline? 6 A. In consultation with labor relations and 7 Dr. Wu, Dr. Wu initiating, following up with 8 labor relations, it was determined this is the 9 appropriate violation of the rule. 10 Q. And just so I am clear, you said Dr. Wu 11 initiating. Initiating with whom? 12 A. He was initiating with whoever the -- 13 I'm not sure if it was Drew at the time. I 14 believe it's Drew. 15 Q. Did you play any role in the decision or 16 the issuing of this disciplinary report? 17 A. The usual role that I play in getting 18 the information passed up to me, evaluating 19 whether to pass it through to HR or not is the 20 standard process that I go by. 21 Q. With regard to this specific 22 disciplinary report, do you have a specific 23 recollection of facilitating it or doing 24 anything with it?</p>
<p style="text-align: right;">Page 94</p> <p>1 time? 2 A. I mean, you know, most of the items on 3 here would warrant some type of discipline if 4 they were done in a timely manner. And the fact 5 is that if they were not in a timely manner, I 6 would not allow it to go forward. I would shut 7 them down. 8 Q. Was it your understanding that Sharon 9 Boyle's conclusion that there was no basis for 10 disciplining Ruth at this time was based on the 11 fact that it was too late? 12 A. I don't know. 13 Q. Do you recall Ruth Briggs being issued 14 disciplinary reports during her tenure at 15 Temple? 16 A. Yes. 17 Q. This is a document that was previously 18 marked as P-6. 19 Take a moment and review that. 20 A. (Pause.) 21 Q. P-6 is a disciplinary report dated 22 November 9, 2011. 23 Do you see that? 24 A. Yes.</p>	<p style="text-align: right;">Page 96</p> <p>1 A. I remember facilitating it. 2 Q. Anything beyond that? 3 A. Some of the times I sit with the 4 individual and the supervisor. Sometimes we sit 5 with the individual, the supervisor and HR. I'm 6 not sure which process was followed when this 7 was given to Ruth. 8 Q. Did you discuss giving this discipline 9 to Ruth Briggs with Dr. Wu before it was 10 actually given to Ruth Briggs? 11 A. Can you repeat the question? 12 Q. Yes. Basically, did you talk to Dr. Wu 13 about the underlying actions or incidents before 14 this discipline was given to Ruth Briggs? 15 A. I don't recall. 16 Q. Now, under "Explanation," "Use reverse 17 side if needed," do you see that right in the 18 middle of the page? 19 A. Yes. 20 Q. It says, "Violation of B.11, 21 Unprofessional/Inappropriate Conduct"? 22 A. Yes. 23 Q. Did you put that in there? 24 A. I don't recall.</p>

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<p style="text-align: right;">Page 97</p> <p>1 Q. The "unprofessional/inappropriate 2 conduct" in P-6, it is not specified here; 3 right? 4 A. It's not specified here, but there 5 should have been some type of appropriate 6 supporting documentation that either Dr. Wu or 7 Drew, if Drew was there, would have had. 8 Q. Do you know if any such documentation 9 exists? 10 A. I don't recall. 11 Q. What was the unprofessional/ 12 inappropriate conduct by Ruth Briggs that 13 warranted this discipline? 14 A. I'm not 100 percent sure, but it may 15 have been she got up and walked out of a meeting 16 with Dr. Wu. 17 Q. The conversation that you mentioned 18 earlier with Ruth Briggs and Drew DiMeo where 19 she said that Dr. Wu allegedly made some comment 20 about China, do you understand that that was 21 related to this disciplinary report or was that 22 a separate issue? 23 A. No -- 24 MS. SATINSKY: Objection to form.</p>	<p style="text-align: right;">Page 99</p> <p>1 anywhere what it was that Ruth Briggs did that 2 warranted this conduct? 3 MS. SATINSKY: Objection. Asked and 4 answered. 5 You can answer it again, Greg. 6 THE WITNESS: No. 7 BY MR. MUNSHI: 8 Q. Now, do you have a recollection -- I 9 understand your practice -- but do you have a 10 recollection of speaking with anyone in labor 11 relations about the issuance of this specific 12 disciplinary report? 13 A. Yes. 14 Q. And was that Deirdre Walton? 15 A. It would have been labor relations. I 16 don't recall who it was. 17 Q. And do you recall telling that person 18 what the unprofessional/inappropriate conduct 19 was that Miss Briggs allegedly did? 20 A. I don't recall. 21 Q. Do you recall Miss Briggs ever 22 complaining to you that she got this discipline 23 unfairly? 24 A. I don't recall.</p>
<p style="text-align: right;">Page 98</p> <p>1 Go ahead. 2 THE WITNESS: No, not related at 3 all. 4 BY MR. MUNSHI: 5 Q. Did Ruth Briggs explain to you that 6 Dr. Wu had made a comment to her about women 7 having a retirement age in China? 8 A. The comment that she made earlier was 9 the only comment that I was aware of. And like 10 I said, I wasn't paying full attention to what 11 it was, but it had to do with either women in 12 retirement, or something along those lines. 13 Q. Do you recall Ruth Briggs then saying 14 that she told Dr. Wu words to the effect 15 of, "We're in the United States, not China?" 16 A. I don't recall. 17 Q. Do you see on here that the date of 18 action, the date is November 9th, 2011. Do you 19 see that? 20 A. Yes. 21 Q. Do you know that Ruth Briggs' birthday 22 is November 10th? 23 A. No. 24 Q. Did you personally ever write down</p>	<p style="text-align: right;">Page 100</p> <p>1 Q. In all your years over at Temple, has 2 any employee ever complained to you about a 3 formal disciplinary report that they received? 4 MS. SATINSKY: Objection to form. 5 THE WITNESS: I don't recall. 6 BY MR. MUNSHI: 7 Q. Any of the disciplines that Ruth Briggs 8 got over at Temple, do you recall her 9 complaining to you that she shouldn't have 10 gotten them? 11 A. Ruth complained about everything and 12 shouldn't have gotten any discipline for 13 anything, even when it was clearly incompetency. 14 Like I said, numerous occasions I didn't allow 15 things to proceed -- disciplinary action to 16 proceed because it was not documented in a 17 timely manner. 18 Q. Sitting here right now, do you have a 19 specific recollection of any complaints that she 20 did raise to you regarding a disciplinary 21 report? 22 A. Not that I recall. 23 Q. Did she ever complain to you that she 24 felt like she was being singled out?</p>

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<p style="text-align: right;">Page 101</p> <p>1 A. Not that I recall. 2 MR. MUNSHI: Let's have this marked 3 as <u>P-22</u>. 4 (<u>P-22</u> was marked for 5 identification) 6 BY MR. MUNSHI: 7 Q. Mr. Wacker, so I have given you <u>P-22</u>. I 8 will give you a moment to review it. 9 A. Okay. 10 Q. Did you already review it? 11 A. I reviewed it, yes. 12 Q. So this is an e-mail from Ruth Briggs to 13 you and Drew DiMeo dated December 14th, 2011. 14 Do you see that? 15 A. Yes. 16 Q. Third paragraph from the bottom. 17 A. Okay. 18 Q. She writes here, "I am wondering how it 19 is that I can be disciplined for violations and 20 others in the office come and go as they please, 21 violate policies about student records and 22 social security numbers with no consequences at 23 all." 24 Do you see that?</p>	<p style="text-align: right;">Page 103</p> <p>1 understanding that she was raising a concern at 2 that point? 3 A. No. 4 Q. Did you ask her what she meant by "other 5 people violating policies with no consequences 6 at all"? 7 A. I don't recall. 8 Q. Do you recall telling Drew DiMeo to talk 9 to Ruth about this? 10 A. I don't recall, but it is something that 11 Drew would have handled as part of his 12 day-to-day interactions with Ruth in the CIS 13 department. 14 Q. Would that be a serious issue if there 15 were people who were violating policies like 16 this? 17 MS. SATINSKY: Objection to form. 18 THE WITNESS: Yes. But from what I 19 recall, there was no one there in charge of 20 that. And by default, that would fall under 21 Ruth making sure that the ProShred group comes 22 in and gets their shredding. And once again, 23 that was right in front of Ruth's area where she 24 sat.</p>
<p style="text-align: right;">Page 102</p> <p>1 A. Yes. 2 Q. And this e-mail is a couple of weeks 3 after the disciplinary report -- 4 A. Yes. 5 Q. -- that we have looked at, P-6. 6 Do you see that? 7 A. Yes. 8 Q. Did you have a conversation with Ruth 9 Briggs about her e-mail here? 10 A. I don't recall. 11 Q. Did you understand that she was 12 basically saying to you that she feels singled 13 out? 14 MS. SATINSKY: Objection to form. 15 THE WITNESS: No. I did notice 16 that -- "I was wondering why neither of you 17 responded until I saw this e-mail. Did not send 18 and was in my outbox." 19 Which is consistent with the work 20 challenges that she had on a day-to-day basis 21 with Dr. Wu. 22 BY MR. MUNSHI: 23 Q. So regarding that paragraph that I just 24 read out loud for the record, did you have any</p>	<p style="text-align: right;">Page 104</p> <p>1 So the fact that she did tape them 2 up and get them sealed was the correct action 3 that needed to be done and they were supposed to 4 be left next to the ProShred box where the 5 ProShred group was coming in to pick up the 6 shred. 7 BY MR. MUNSHI: 8 Q. The discipline that we looked at, P-6, 9 was dated November 9th, 2011. 10 Are you aware of any disciplines 11 that Ruth Briggs received from Temple prior to 12 November 9th, 2011? 13 A. I don't recall. 14 Q. Do you know if she ever received any 15 discipline prior to working under Dr. Wu? 16 A. I don't recall. 17 Q. Now, at any point did you learn that 18 Ruth Briggs was submitting applications 19 internally for job transfers? 20 A. I was probably aware of that. It would 21 have been something that I -- I know I 22 encouraged her to do. I encourage any employee 23 that is unhappy in their job to apply out into 24 other positions.</p>

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<p style="text-align: right;">Page 105</p> <p>1 Q. Did you consider Miss Briggs to be 2 unhappy in her job? 3 A. She was looking to get out of the 4 department into a new job. 5 Q. Was it your belief or understanding that 6 she was unhappy in her current job? 7 A. It would lead you to believe that, yes. 8 Q. Not me. Lead you? 9 A. One could interpret it that way. 10 Q. Don't bring me into this. I am just 11 talking about you. 12 A. Yes. 13 Q. What led you to believe that she was 14 unhappy? 15 A. In just general conversations and 16 consulting with her and her indicating that she 17 was looking at other jobs, I would continue to 18 encourage her to do that. 19 Q. Did you have an understanding that she 20 was unhappy with her relationship with Dr. Wu? 21 A. I don't recall. I don't recall. 22 Q. Did you have an understanding that she 23 was looking to transfer away from Dr. Wu? 24 MS. SATINSKY: Objection to form.</p>	<p style="text-align: right;">Page 107</p> <p>1 wrong going on with her performance deficiency, 2 you didn't have occasion to actually see her 3 work product? 4 A. No. 5 Q. Did you act as a reference for her? 6 A. I indicated, as I do for all of the 7 employees, that I would be happy to provide a 8 reference for you if need be. 9 Q. That is within your discretion to say 10 yes or no? 11 A. Yes, anybody can say yes or no. And 12 once again, in the fact that I deal with my 13 current employees, I encourage them to look at 14 what opportunities are out there to grow and 15 expand and I'd be happy to provide a reference. 16 MR. MUNSHI: <u>P-23</u>. 17 (<u>P-23</u> was marked for 18 identification.) 19 BY MR. MUNSHI: 20 Q. I will give you a moment to review the 21 e-mail chain that is <u>P-23</u>. 22 A. (Pause.) 23 Okay. 24 Q. Did you ever talk to anyone in labor</p>
<p style="text-align: right;">Page 106</p> <p>1 THE WITNESS: She was exploring 2 opportunities to get out of the department that 3 she was in, yes. 4 BY MR. MUNSHI: 5 Q. In other words, are you aware of any 6 jobs that she was looking for that would have 7 kept her under Dr. Wu? 8 A. Can you repeat that question? 9 Q. So in other words, Dr. Wu has a lot of 10 people who report to him; correct? 11 A. Yes. 12 Q. Was it your understanding that she was 13 looking for jobs that would take her out of 14 Dr. Wu, meaning not other jobs still under 15 Dr. Wu? 16 A. Yes. 17 Q. As of November 2011, did you have 18 occasion to see Miss Briggs' performance and 19 work product firsthand? 20 A. The only time I would be made aware of 21 it is when there was disciplinary action in the 22 process that was initiated by her supervisor and 23 then would get passed through Drew. 24 Q. So absent a disciplinary or something</p>	<p style="text-align: right;">Page 108</p> <p>1 relations or human relations about Ruth Briggs 2 wanting a transfer? 3 A. Not that I recall. 4 Q. Did you ever talk with Drew DiMeo about 5 Ruth Briggs wanting to transfer away from 6 Dr. Wu? 7 MS. SATINSKY: Objection to form. 8 THE WITNESS: Not that I recall. 9 BY MR. MUNSHI: 10 Q. Did you in fact serve as a reference for 11 any jobs for Ruth Briggs? 12 A. I don't know if she put me down at all. 13 I don't recall getting any calls for a 14 reference. 15 Q. This is a document that was previously 16 marked as P-18. 17 A. (Pause.) 18 Okay. 19 Q. This is another disciplinary report 20 issued to Ruth Briggs. This one is dated 21 January 20, 2014. 22 Do you see that? 23 A. Yes. 24 Q. Do you recall the circumstances around</p>

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<p style="text-align: right;">Page 109</p> <p>1 this discipline?</p> <p>2 A. I do not.</p> <p>3 Q. Do you know whose idea it was to give</p> <p>4 this discipline to Ruth Briggs?</p> <p>5 A. Dr. Wu would initiate it and go through</p> <p>6 Drew and then Drew would pass it up to me to see</p> <p>7 whether it should proceed or not.</p> <p>8 Q. And do you in fact remember doing that</p> <p>9 process with regard to this disciplinary report?</p> <p>10 A. Yes, yes. Any disciplinary report ends</p> <p>11 up getting funneled through me.</p> <p>12 Drew would have gathered the</p> <p>13 information, passed it up, said here's what</p> <p>14 we're looking at, and then it would have gone to</p> <p>15 Deirdre in HR.</p> <p>16 Q. What information do you recall Drew</p> <p>17 DiMeo passing up to you regarding this</p> <p>18 disciplinary report?</p> <p>19 A. I don't recall.</p> <p>20 Q. Do you recall that the circumstances</p> <p>21 around this pertained to Miss Briggs being late</p> <p>22 one day?</p> <p>23 MS. SATINSKY: Objection to form.</p> <p>24 THE WITNESS: I don't recall.</p>	<p style="text-align: right;">Page 111</p> <p>1 Deirdre Walton February 26th, 2014.</p> <p>2 Do you see that?</p> <p>3 A. Yes.</p> <p>4 Q. Does this refresh your recollection at</p> <p>5 all as to a conversation with Deirdre Walton</p> <p>6 regarding this issue?</p> <p>7 A. I do not recall.</p> <p>8 Q. Do you recall ever telling Deirdre</p> <p>9 Walton that Ruth Briggs came in late and didn't</p> <p>10 call anyone to say she is coming in late?</p> <p>11 A. I don't recall.</p> <p>12 Q. Do you recall any issue with Ruth Briggs</p> <p>13 oversleeping and not telling anybody she was</p> <p>14 going to be late?</p> <p>15 A. I do recall hearing instances where the</p> <p>16 front office was not open because no one was</p> <p>17 there. But that's the extent of what I recall.</p> <p>18 Q. And did she work in the front office?</p> <p>19 A. Yes, for CIS.</p> <p>20 Q. This is a document that was previously</p> <p>21 marked as D-41. Let's just keep it as D-41. It</p> <p>22 has the sticker on it already.</p> <p>23 A. Okay.</p> <p>24 Q. So this is an e-mail from Ruth to Ruth</p>
<p style="text-align: right;">Page 110</p> <p>1 BY MR. MUNSHI:</p> <p>2 Q. Do you recall meeting with Ruth Briggs</p> <p>3 where she had an explanation as to why she was</p> <p>4 late?</p> <p>5 A. I don't recall.</p> <p>6 Q. I understand your normal process, but do</p> <p>7 you have a specific recollection of chatting</p> <p>8 with Miss Walton or anyone else in labor</p> <p>9 relations about this disciplinary report?</p> <p>10 MS. SATINSKY: Objection to form.</p> <p>11 Asked and answered.</p> <p>12 THE WITNESS: I don't recall.</p> <p>13 BY MR. MUNSHI:</p> <p>14 Q. Did you have an understanding or a</p> <p>15 recollection that Miss Briggs opposed this</p> <p>16 specific disciplinary report in any way?</p> <p>17 A. I don't recall.</p> <p>18 MR. MUNSHI: Let's take a look at</p> <p>19 this, <u>P-24</u>.</p> <p>20 (<u>P-24</u> was marked for</p> <p>21 identification.)</p> <p>22 THE WITNESS: Okay.</p> <p>23 BY MR. MUNSHI:</p> <p>24 Q. <u>P-24</u> is an e-mail from Ruth Briggs to</p>	<p style="text-align: right;">Page 112</p> <p>1 on February 26th, 2014. Her first sentence</p> <p>2 is, "Deirdre called after speaking to Greg to</p> <p>3 tell me that Greg told her that I came in at</p> <p>4 noon, did not call anyone, and claimed to not</p> <p>5 have an excuse for being late."</p> <p>6 Did you say that to Deirdre?</p> <p>7 A. I don't recall. And once again, it</p> <p>8 would have been provided in documentation from</p> <p>9 Dr. Wu complaining to Drew about the issue.</p> <p>10 Q. Have you ever seen that documentation?</p> <p>11 A. I don't recall.</p> <p>12 Q. Did Drew DiMeo ever provide you with any</p> <p>13 documentation regarding this oversleeping issue?</p> <p>14 MS. SATINSKY: Objection to form.</p> <p>15 THE WITNESS: I don't recall.</p> <p>16 BY MR. MUNSHI:</p> <p>17 Q. At any point did Drew DiMeo provide you</p> <p>18 with any documentation regarding Ruth Briggs</p> <p>19 being tardy?</p> <p>20 A. Something was provided because we took</p> <p>21 disciplinary action. What, I don't recall.</p> <p>22 Q. And you don't recall if Dr. Wu gave you</p> <p>23 any documentation; correct?</p> <p>24 A. I don't recall.</p>

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<p style="text-align: right;">Page 113</p> <p>1 Q. Have you ever seen anyone disciplined 2 for being late? 3 A. I don't recall. 4 Q. The end of this D-41 document says, "She 5 said she will call a meeting with Greg, Drew, 6 Deirdre and myself about this issue and will get 7 back to me with the date of the meeting." 8 Do you recall if that meeting ever 9 took place? 10 A. I do not recall. 11 MR. MUNSHI: <u>P-25</u>. 12 (<u>P-25</u> was marked for 13 identification.) 14 BY MR. MUNSHI: 15 Q. So <u>P-25</u> in front of you is two 16 back-to-back documents Bates stamped Temple 17 University (R. Briggs) 119 and 120. 18 The first page of <u>P-25</u> is dated 19 April 11, 2014 -- 20 A. Okay. 21 Q. -- from Miss Walton to you, and there is 22 an attachment, it appears. It says "Ruth 23 Briggs.docx." 24 Do you see that?</p>	<p style="text-align: right;">Page 115</p> <p>1 A. I believe Ruth sent the resignation 2 letter to Deirdre. 3 Q. After Ruth Briggs was no longer employed 4 at Temple, did you have any conversations with 5 Sandy Foehl about her? 6 A. I don't recall. 7 Q. Did you have an understanding that Sandy 8 Foehl had met with Dr. Wu after Miss Briggs was 9 no longer working there? 10 A. I don't recall. 11 Q. Did you have an understanding that Sandy 12 Foehl had met with Drew DiMeo after Miss Briggs 13 was no longer working there? 14 A. I don't recall. 15 Q. After Miss Briggs was no longer employed 16 at Temple, did you have any more conversations 17 with Deirdre Walton about her? 18 MS. SATINSKY: About Ruth or about 19 Deirdre? 20 BY MR. MUNSHI: 21 Q. About Ruth. 22 A. About Ruth? I don't recall. 23 MR. MUNSHI: Give me two minutes. 24 (Pause.)</p>
<p style="text-align: right;">Page 114</p> <p>1 A. Okay. 2 Q. The second page of <u>P-25</u> is an e-mail 3 from Miss Walton to you dated March 31, 2014. 4 A. Okay. 5 Q. Also an attachment "Ruth Briggs.docx." 6 A. Okay. 7 Q. Do you know what those attachments are? 8 A. Am I 100 percent sure? No. Do I 9 believe they would have been the termination 10 letter that went back and forth between Deirdre 11 and I, because, once again, that's something 12 that HR approves the final product. I usually 13 have them initiate the initial product. I'll 14 make changes, they'll make changes, and then 15 when they are done they say here it is. 16 Q. The top page of <u>P-25</u> is actually dated 17 April 11th, 2014. Do you see that the 18 termination letter predates that? 19 A. Yeah. The one may have been the 20 termination. The question is, is the other the 21 resignation, because I know at one point I 22 didn't have a resignation letter. 23 Q. We will follow up on that one just to 24 make sure.</p>	<p style="text-align: right;">Page 116</p> <p>1 BY MR. MUNSHI: 2 Q. Just two more questions here, 3 Mr. Wacker. 4 Did Drew DiMeo ever inform you that 5 he learned that Ruth Briggs had gone to HR about 6 Dr. Wu? 7 A. No. 8 Q. Did you have any conversations with an 9 individual named Tracy Hamilton in labor 10 relations? 11 MS. SATINSKY: About? 12 BY MR. MUNSHI: 13 Q. Ruth Briggs? 14 A. I don't recall. 15 Q. How about an individual named Rhonda 16 Brown, any conversations with her regarding Ruth 17 Briggs? 18 A. I don't recall. 19 MR. MUNSHI: That is all I have. 20 MS. SATINSKY: I don't have any 21 questions. The witness reserves the right to 22 read and sign. 23 (Witness excused.) 24 - - -</p>

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Page 117

1 (The deposition concluded at
2 12:43 p.m.)
3 - - -
4 I N D E X
5 DEPONENT: GREGORY G. WACKER PAGE
6 Examination by Mr. Munshi 2
7
8 E X H I B I T S
9 WACKER DEPOSITION EXHIBITS MARKED
10 P-22 E-mail, TEMPLE UNIVERSITY 101
(R. BRIGGS) - 0000327
11 P-23 E-mail string, TEMPLE UNIVERSITY 107
(R. Briggs) - 0000320 - 0000321
12 P-24 E-mail, BRIGGS 69 110
13 P-25 Two e-mails, TEMPLE UNIVERSITY 113
(R. BRIGGS) - 0000119 - 0000120
14
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Page 118

1 WITNESS SIGNATURE/CERTIFICATION PAGE
2
3
4
5 I have read the foregoing transcript
6 of my deposition given on Thursday, June 29,
7 2017, and it is true, correct and complete, to
8 the best of my knowledge, recollection and
9 belief, except for the list of corrections, if
10 any, attached on a separate sheet herewith.
11
12
13
14
15
16
17
18 DATE GREGORY G. WACKER
19
20
21
22
23
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1
2
3
4 I HEREBY CERTIFY that the
5 proceedings, evidence and objections are
6 contained fully and accurately in the
7 stenographic notes taken by me upon the
8 foregoing matter on Thursday, June 29, 2017, and
9 that this is a true and correct transcript of
10 same.
11
12
13
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17
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19 (The foregoing certification
20 of this transcript does not apply to any
21 reproduction of the same by any means, unless
22 under the direct control and/or supervision of
23 the certifying reporter.)
24

Terry B. Burke

Terry Barbano Burke, RMR-CRR

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EXHIBIT 29

In The Matter Of:
RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

DEIRDRE CULBREATH-WALTON
June 30, 2017

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RUTH V. BRIGGS v.
TEMPLE UNIVERSITY

DEIRDRE CULBREATH-WALTON
June 30, 2017

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<p>1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA 3 - - - 4 RUTH V. BRIGGS, : 5 Plaintiff, : 6 v. : Civil Action 7 TEMPLE UNIVERSITY, : No. 16-00248 8 Defendant. : 9 - - - 10 Philadelphia, Pennsylvania 11 Friday, June 30, 2017 12 - - - 13 Deposition of DEIRDRE 14 CULBREATH-WALTON, taken pursuant to notice, held 15 at Console Mattiacci Law, LLC, 1525 Locust 16 Street, Ninth Floor, Philadelphia, Pennsylvania, 17 beginning at 10:15 a.m., on Friday, June 30, 18 2017, before Terry Barbano Burke, RMR-CRR. 19 20 21 22 TERRY BURKE REPORTING 23 (215) 205-9079 24 terryburkermr@gmail.com</p>	<p>1 deposition. Do you understand that? 2 A. Yes. 3 Q. Have you ever had your deposition taken 4 before? 5 A. Yes, I have. 6 Q. How many times? 7 A. Six. Five or six. 8 Q. Have you ever had your deposition taken 9 with regard to your capacity as a Temple 10 employee? 11 A. Yes. 12 Q. When was the last time that happened? 13 A. I'm trying to think here. Probably 14 about four or five years ago. 15 Q. And was that an employment-related 16 claim? 17 A. Yes, it was. 18 Q. Do you remember the name of the 19 plaintiff? 20 A. I'm blanking on the plaintiff. 21 Oh, yes. It was Juvencio -- I 22 forget his last name. 23 Q. Was it an employment discrimination 24 claim?</p>
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<p>1 APPEARANCES: 2 RAHUL MUNSHI, ESQUIRE 3 Console Mattiacci Law, LLC 4 1525 Locust Street, Ninth Floor 5 Philadelphia Pennsylvania 19102 6 Counsel for the Plaintiff 7 RACHEL FENDELL SATINSKY, ESQUIRE 8 Littler Mendelson, P.C. 9 Three Parkway 10 1601 Cherry Street, Suite 1400 11 Philadelphia, Pennsylvania 19102 12 Counsel for the Defendant 13 - - - 14 DEIRDRE CULBREATH-WALTON, 15 493 East Harmon Road, Philadelphia, 16 Pennsylvania, 19128, having been duly 17 sworn, was examined and testified as 18 follows: 19 BY MR. MUNSHI: 20 Q. Good morning, Miss Walton. 21 A. Good morning. 22 Q. My name is Rahul Munshi. I am an 23 attorney here at Console Mattiacci Law, and I 24 have the privilege of representing Ruth Briggs in this action that has been brought against Temple. You are here today for your</p>	<p>1 A. Yes. 2 Q. Did that case go to trial? 3 A. No. Gonzalez. Juvencio Gonzalez. It's 4 coming back. 5 Q. Actually, let me just give you some 6 instructions here just to remind you. It has 7 been a long time. 8 I am going to be asking you some 9 questions. If I ask you a question you don't 10 understand or you want me to repeat, just let me 11 know and I will try to ask a better question. 12 Okay? 13 A. Sure. 14 Q. You obviously see Terry is writing 15 everything we are say down so a transcript can 16 be created. 17 A. Okay. 18 Q. As a result, we have to make sure we 19 don't talk over each other, otherwise the 20 transcript is not going to come out clean. So 21 if you try to do your best to wait until I am 22 done asking my question before you start 23 answering, I will try and do my best to wait 24 until you are done answering before I start my</p>

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June 30, 2017

<p style="text-align: right;">Page 5</p> <p>1 next question. 2 Okay? 3 A. Sure. 4 Q. Similar instruction for the purpose of 5 the transcript. We have to make sure we 6 verbalize all of our answers. Okay? 7 A. Yes. 8 Q. Prior to the Juvencio claim, what was 9 the deposition you had before that? 10 A. I can't remember. 11 Q. Have you ever been deposed within your 12 capacity as a Temple employee in an employment 13 discrimination claim where the individual 14 plaintiff raised a claim of age discrimination? 15 A. Yes. I think Juvencio's was an age. 16 Q. That was an age case? 17 A. It was age and race. 18 Q. Any other depositions you have had where 19 the underlying claim was age discrimination? 20 A. Not that I recall. 21 Q. How about any depositions where the 22 underlying claim was related to gender or sex 23 discrimination? 24 A. I'm not sure.</p>	<p style="text-align: right;">Page 7</p> <p>1 apart from HR? 2 A. Yes, it is. 3 Q. When did you first start working at 4 Temple? 5 A. In February of 1999. 6 Q. And what position did you have when you 7 first started working at Temple? 8 A. I was employee relations specialist. 9 Q. And that was an HR position; correct? 10 A. Yes. 11 Q. How long did you hold that position? 12 A. About two years. 13 Q. What was next for you? 14 A. I was then promoted to employee 15 relations manager. 16 Q. And how long did you hold that title? 17 A. And I was in that position maybe another 18 two to three years. 19 Q. What about after that? 20 A. And I was the assistant director for 21 employee relations. 22 Q. For how long? 23 A. Two years. 24 Q. And that was another promotion?</p>
<p style="text-align: right;">Page 6</p> <p>1 Q. Have you ever been deposed in an action 2 where the underlying claim included an 3 allegation of retaliation? 4 A. Not that I recall. 5 Q. You are an HR professional; correct? 6 A. Yes. 7 Q. When did you first start working in HR 8 in any capacity for any company? 9 A. At Temple or for my career? 10 Q. For any company. 11 A. I have been working in HR since 1987. 12 Q. You are currently employed by Temple; 13 correct? 14 A. Yes, I am. 15 Q. What is your current job title? 16 A. I'm the director for labor employee 17 relations. 18 Q. Is that within any specific department? 19 A. It's within HR. 20 Q. Do you also have any capacity within the 21 EEO office? 22 A. No, I don't work with the EEO office. I 23 mean I don't work in their office. 24 Q. At Temple is the EEO office separate and</p>	<p style="text-align: right;">Page 8</p> <p>1 A. Uh-huh. 2 Q. Just verbalize. I knew you were going 3 to do it. 4 A. What? 5 MS. SATINSKY: Is that a yes? 6 BY MR. MUNSHI: 7 Q. Verbalize. 8 A. Yes, that was. 9 Q. And what about after that? 10 A. I was then finally promoted to my 11 current position, which is director for labor 12 employee relations. 13 Q. What year was that that you got promoted 14 to that position? 15 A. I would have to say 2008. 16 Q. Is it fair to say you have been working 17 as an HR professional for about 30 years? 18 A. Yes. 19 Q. Are you a member of any HR societies or 20 organizations? 21 A. Yes. I'm a member of SHRM. 22 Q. Anything else? 23 A. Greater Valley Forge Human Resource 24 Association.</p>

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<p style="text-align: right;">Page 9</p> <p>1 Q. Anything else?</p> <p>2 A. That's it.</p> <p>3 Q. Do you have any certifications or</p> <p>4 licenses in HR?</p> <p>5 A. I have the SHRM, the SPHR certification.</p> <p>6 Q. From SHRM?</p> <p>7 A. Yes.</p> <p>8 Q. Anything else?</p> <p>9 A. Well, they split off, so there is a</p> <p>10 separate one under HRCI. It is a certification</p> <p>11 as well.</p> <p>12 Q. What is HRCI?</p> <p>13 A. SHRM, initially when were you certified</p> <p>14 under them, it was certified under HRCI. I</p> <p>15 forget what the acronym means, but they were the</p> <p>16 agency that certified you.</p> <p>17 They, two, three years ago, split</p> <p>18 off. SHRM has their own certification, but you</p> <p>19 continue with HRCI, so I have certification</p> <p>20 under both of them.</p> <p>21 Q. Have you had any training throughout</p> <p>22 your career as an HR professional for about 30</p> <p>23 years in how to recognize discrimination in the</p> <p>24 workplace?</p>	<p style="text-align: right;">Page 11</p> <p>1 A. 2014? It was probably the same as it is</p> <p>2 today. I report to Sharon Boyle, who is our</p> <p>3 associate vice president for human resources,</p> <p>4 and Sharon reports to Ken Kaiser, who is our</p> <p>5 CFO.</p> <p>6 Q. Back in that 2014 time period, did</p> <p>7 anybody report directly to you?</p> <p>8 A. Yes. I had two direct reports. I had</p> <p>9 an administrative assistant, administrative</p> <p>10 specialist, as well as employee relations</p> <p>11 manager.</p> <p>12 Q. And who were those direct reports, what</p> <p>13 are their names?</p> <p>14 A. Felisha Brown was my administrative</p> <p>15 specialist. Ebony Jones was the employee</p> <p>16 relations manager.</p> <p>17 Q. I may have missed it. Were there only</p> <p>18 two or were there four in total direct reports?</p> <p>19 A. Two.</p> <p>20 Q. Okay.</p> <p>21 Ebony Jones was an HR professional</p> <p>22 as well?</p> <p>23 A. Yes.</p> <p>24 Q. Back in that 2014 time period, describe</p>
<p style="text-align: right;">Page 10</p> <p>1 A. Yes.</p> <p>2 Q. What kind of training have you gone</p> <p>3 through on that?</p> <p>4 A. Throughout my years, it's been with</p> <p>5 seminars, employment, working with employment</p> <p>6 attorneys that have gone to many trainings and</p> <p>7 employment seminars that were held by law</p> <p>8 offices in the city.</p> <p>9 Q. And have you had training throughout</p> <p>10 your career on how to recognize retaliation in</p> <p>11 the workplace?</p> <p>12 A. Yes.</p> <p>13 Q. Similar seminars that you attended?</p> <p>14 A. Yes.</p> <p>15 Q. Did you ever take any classes or</p> <p>16 seminars on civil rights laws, like Title VII,</p> <p>17 Age Discrimination in Employment Act, those</p> <p>18 types of things?</p> <p>19 A. Yes, I have.</p> <p>20 Q. Back in the 2014 time period --</p> <p>21 A. Yes.</p> <p>22 Q. -- we can even look at the first half of</p> <p>23 2014, can you describe for me what your</p> <p>24 reporting structure was over at Temple?</p>	<p style="text-align: right;">Page 12</p> <p>1 for me what your general job duties and</p> <p>2 responsibilities were?</p> <p>3 A. In my capacity, I'm responsible for all</p> <p>4 employee relation issues at the university that</p> <p>5 deal with conflict issues for supervisors,</p> <p>6 discipline, performance management.</p> <p>7 I'm responsible for all the</p> <p>8 processing. It gets done under my supervision,</p> <p>9 all processing and terminations. Unemployment.</p> <p>10 ADA, the American with Disability Act, all those</p> <p>11 claims come through my office. Coaching and</p> <p>12 counseling supervisors.</p> <p>13 Q. Did you have any job duties or</p> <p>14 responsibilities pertaining to EEO policies?</p> <p>15 A. In my role and as a person who is</p> <p>16 responsible for holding the university work</p> <p>17 rules, as well as the university policies that</p> <p>18 include EEOC, yes. So departments would contact</p> <p>19 me with any issues. Employees contact me with</p> <p>20 any concerns or issues regarding EEOC. But I</p> <p>21 work very closely with the EEOC department when</p> <p>22 we do get those claims.</p> <p>23 Q. The internal EEO office at Temple, you</p> <p>24 mean?</p>

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<p style="text-align: right;">Page 13</p> <p>1 A. Uh-huh, yes. Yes.</p> <p>2 Q. Just describe for me what is that</p> <p>3 relationship between HR and EEO, what does the</p> <p>4 EEO department do that HR does not do?</p> <p>5 A. The EOC department at Temple</p> <p>6 investigates all discrimination complaints and</p> <p>7 sexual harassment complaints that are brought to</p> <p>8 their attention on every level from students to</p> <p>9 employees. So when employees may come to them</p> <p>10 and it crosses over, they work closely with my</p> <p>11 office just to kind of determine where the</p> <p>12 issues may lie.</p> <p>13 Q. So back in this 2014 time period, was it</p> <p>14 part of your job duties and responsibilities to</p> <p>15 conduct any workplace investigations into claims</p> <p>16 of discrimination or retaliation?</p> <p>17 A. I would not investigate discrimination.</p> <p>18 I do investigate employment practices, wrongful,</p> <p>19 you know, or hostile work environment, those</p> <p>20 types of complaints. If an employee comes to me</p> <p>21 and feels they have been treated unfairly in any</p> <p>22 way, I investigate those when it runs or it</p> <p>23 crosses the line to EOC and discrimination-type</p> <p>24 cases, I would then forward it on to them.</p>	<p style="text-align: right;">Page 15</p> <p>1 hostile work environment at Temple?</p> <p>2 A. Yes, I have, but the number I couldn't</p> <p>3 tell you.</p> <p>4 Q. And in all these investigations that you</p> <p>5 have participated in regarding discrimination or</p> <p>6 retaliation or hostile work environment, would</p> <p>7 it be part of your job duties or the group's job</p> <p>8 duties to actually reach a conclusion as to</p> <p>9 whether or not discrimination actually did take</p> <p>10 place?</p> <p>11 MS. SATINSKY: Objection to form.</p> <p>12 You can answer the question.</p> <p>13 THE WITNESS: Yes.</p> <p>14 BY MR. MUNSHI:</p> <p>15 Q. Same thing with retaliation and hostile</p> <p>16 work environment claims, does the decision get</p> <p>17 made as to whether or not it did take place or</p> <p>18 did not take place?</p> <p>19 A. Yes.</p> <p>20 Q. And in the investigations that you have</p> <p>21 participated in throughout your tenure at</p> <p>22 Temple, has there ever been a determination that</p> <p>23 yes, the allegations made by the employee</p> <p>24 regarding discrimination, retaliation or hostile</p>
<p style="text-align: right;">Page 14</p> <p>1 Q. Have you ever, during your tenure at</p> <p>2 Temple, conducted a workplace investigation into</p> <p>3 discrimination or retaliation?</p> <p>4 A. I've worked with EOC on an</p> <p>5 investigation, yes.</p> <p>6 Q. And how does that relationship work?</p> <p>7 A. With a partner.</p> <p>8 Q. Partners?</p> <p>9 A. Uh-huh.</p> <p>10 Q. How about with regard to retaliation,</p> <p>11 did you ever participate in an investigation</p> <p>12 regarding a claim of retaliation at Temple?</p> <p>13 A. Yes.</p> <p>14 Q. Approximately how many regarding</p> <p>15 discrimination that you participated in?</p> <p>16 A. It's hard to tell. I'm sure it's been</p> <p>17 over ten. I mean I've been there 18 years, so</p> <p>18 it's probably been over ten claims.</p> <p>19 Q. And how about claims of retaliation,</p> <p>20 approximately how many have you participated in?</p> <p>21 A. Maybe four or five.</p> <p>22 Q. And you mentioned hostile work</p> <p>23 environment claims as well. Have you ever</p> <p>24 participated in an investigation into a claim of</p>	<p style="text-align: right;">Page 16</p> <p>1 work environment, it is true, it happened?</p> <p>2 MS. SATINSKY: Objection to form.</p> <p>3 THE WITNESS: I don't recall. I'm</p> <p>4 not sure. I don't think so. But I'm going to</p> <p>5 be honest, I can't recall.</p> <p>6 BY MR. MUNSHI:</p> <p>7 Q. Have you ever heard of any investigation</p> <p>8 that was conducted by somebody else at Temple</p> <p>9 where a conclusion was reached that the</p> <p>10 individual's allegations were confirmed?</p> <p>11 MS. SATINSKY: Objection to form and</p> <p>12 objection attorney-client privilege. I don't</p> <p>13 want you to testify about anything you might</p> <p>14 have learned through an attorney either at</p> <p>15 Temple or outside of Temple, but beyond that,</p> <p>16 you can testify to that question.</p> <p>17 THE WITNESS: To be honest, I can't</p> <p>18 really speak specific to that.</p> <p>19 BY MR. MUNSHI:</p> <p>20 Q. Throughout your tenure at Temple and</p> <p>21 within your capacity as an HR professional, have</p> <p>22 you ever personally received a complaint of</p> <p>23 discrimination at Temple?</p> <p>24 A. Yes.</p>

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<p style="text-align: right;">Page 17</p> <p>1 Q. Approximately how many times throughout 2 your tenure at Temple? 3 A. It's been over ten, I can say. 4 Q. Again, within your capacity as an HR 5 professional at Temple, did you ever personally 6 receive any complaints of retaliation? 7 A. Yes, I have. 8 Q. Approximately how many? 9 A. From my memory, maybe four or five. 10 Q. And how about regarding hostile work 11 environment, did you ever personally receive any 12 complaints of hostile work environment? 13 A. Yes, I have. 14 Q. Ballpark, how many? 15 A. I'm really generalizing here. Probably, 16 that's a number that's probably over ten too. 17 Q. And regarding specifically the 18 complaints that you received personally, do you 19 recall any instance where any of those 20 allegations were in fact corroborated? 21 MS. SATINSKY: Objection to form and 22 objection to privilege. To the extent you have 23 learned something outside from counsel, you may 24 testify to it.</p>	<p style="text-align: right;">Page 19</p> <p>1 abusive? 2 A. Requiring the person to -- well, 3 demeaning the person in front of other people. 4 So if there is a mistake that happened, they got 5 yelled at to the point that, you know, they were 6 actually cursed at and it was in front of other 7 employees. 8 Q. Within your job duties and 9 responsibilities at Temple, are you assigned to 10 any particular departments at Temple, or is it 11 just Temple University in general? 12 A. It's Temple University in general. 13 Q. Have you ever received any sort of 14 complaints about discrimination, retaliation or 15 hostile work environment stemming from the CIS 16 department? 17 A. Have I ever received complaints from the 18 CIS department? No. 19 Q. Did you ever receive any complaint or 20 learn about any complaint outside of what you 21 learned from counsel, any complaints about Greg 22 Wacker? 23 A. Yes. 24 Q. How many do you recall?</p>
<p style="text-align: right;">Page 18</p> <p>1 THE WITNESS: So your question is? 2 BY MR. MUNSHI: 3 Q. Regarding only the complaints that you 4 personally received regarding discrimination, 5 retaliation or hostile work environment, are you 6 aware if any of those claims that you personally 7 received were in fact corroborated or confirmed? 8 Putting aside anything you learned from counsel. 9 A. Yes. 10 Q. The answer is yes? 11 A. Uh-huh, yes. 12 Q. How many times did that happen? 13 A. About six times. 14 Q. When was the last time that that 15 happened? 16 A. It's probably about five years ago. 17 Q. What were the circumstances that you 18 recall where the allegation was confirmed? 19 A. I had an employee that was working for a 20 supervisor where the atmosphere was very 21 hostile. The supervisor was overly demanding, 22 abusive, and so many times embarrassed the 23 person in front of people. 24 Q. What did you learn that you found to be</p>	<p style="text-align: right;">Page 20</p> <p>1 A. I guess about three. 2 Q. Can you tell me the names of those 3 individuals who raised those complaints? 4 A. I forget this young lady's last name. 5 Her name was Tanya. I don't remember Tanya's 6 last name. 7 Q. Honeywell? 8 A. Huh? 9 Q. Honeywell? 10 A. Yeah. 11 Ruth complained. 12 When you say complaints, I want to 13 be clear. The complaint is? 14 Q. Anything regarding discrimination, 15 retaliation, hostile work environment. 16 A. Okay. Just recently -- forgive me. I 17 forget the lady's name. She was, I believe, 18 assistant dean. Her name escapes me right now. 19 She was assistant dean. 20 Q. And what did this assistant dean 21 complain about? 22 A. Well, it wasn't Greg specifically, but 23 Greg was, I guess, clumped together with the 24 dean and the vice dean. This person felt that</p>

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<p style="text-align: right;">Page 21</p> <p>1 she was being treated unfairly by them.</p> <p>2 Q. Forgive me, I don't know all the deans</p> <p>3 names over at Temple. Who is the dean and who</p> <p>4 is the vice dean in that situation?</p> <p>5 A. The dean is Mike Klein.</p> <p>6 Q. That's Michael Klein?</p> <p>7 A. Uh-huh.</p> <p>8 And the vice dean, I forget his</p> <p>9 name. It is going to come to me. His name is</p> <p>10 going to pop up later. I can't remember his</p> <p>11 name. Sorry.</p> <p>12 Q. If it does pop up, just let me know.</p> <p>13 That kind of goes for all the questions, if</p> <p>14 later on you want to come back to something,</p> <p>15 just let me know.</p> <p>16 A. Okay.</p> <p>17 Q. This individual, the assistant dean</p> <p>18 complained about being treated unfairly in the</p> <p>19 workplace?</p> <p>20 A. Yes.</p> <p>21 Q. What did she say happened?</p> <p>22 A. Let me take that back.</p> <p>23 A letter was sent anonymously to our</p> <p>24 office. It was sent to a couple offices. So we</p>	<p style="text-align: right;">Page 23</p> <p>1 those women. And then we met with some others</p> <p>2 in the dean's office.</p> <p>3 Q. Was Dean Michael Klein's name</p> <p>4 specifically mentioned in this?</p> <p>5 A. Yes, it was.</p> <p>6 Q. And did you personally meet with Michael</p> <p>7 Klein?</p> <p>8 A. Yes, I did.</p> <p>9 Q. And did you inform Michael Klein in this</p> <p>10 situation that his name was mentioned in the</p> <p>11 letter?</p> <p>12 A. He was aware. He got a copy of it.</p> <p>13 Q. Is that investigation still ongoing or</p> <p>14 is it over?</p> <p>15 A. No. It ended.</p> <p>16 Q. Was any sort of conclusion reached?</p> <p>17 A. That we didn't find for any</p> <p>18 discrimination.</p> <p>19 Q. Is Michael Klein the dean of CIS?</p> <p>20 A. He's the dean of college and technology.</p> <p>21 CIS is a department.</p> <p>22 Q. What do you recall Tanya Honeywell</p> <p>23 complaining about regarding Greg Wacker?</p> <p>24 A. That was awhile ago, but from memory,</p>
<p style="text-align: right;">Page 22</p> <p>1 looked into it. But it was about those three</p> <p>2 people were named in that complaint.</p> <p>3 Q. Did you personally participate into the</p> <p>4 looking into it?</p> <p>5 A. Yes.</p> <p>6 Q. When you look into an allegation or a</p> <p>7 concern like that, what do you do?</p> <p>8 MS. SATINSKY: Objection to form.</p> <p>9 You can answer the question.</p> <p>10 THE WITNESS: Well, in this case,</p> <p>11 because of some -- because they said that the</p> <p>12 actions affected women, so it seemed like it was</p> <p>13 a sex discrimination case, but at the same time</p> <p>14 it had to deal with some employment actions, I</p> <p>15 partnered with EOC and we together investigated</p> <p>16 the claim.</p> <p>17 BY MR. MUNSHI:</p> <p>18 Q. And when you investigated that claim,</p> <p>19 what did you do?</p> <p>20 A. We met with -- we met with everyone that</p> <p>21 was mentioned in the letter. That included the</p> <p>22 dean, the vice dean, Greg Wacker.</p> <p>23 We met, this claim mentioned several</p> <p>24 women that they felt were affected. We met with</p>	<p style="text-align: right;">Page 24</p> <p>1 she also complained of being treated unfairly,</p> <p>2 and I think her complaint was a discrimination</p> <p>3 complaint as well. I believe it was sex. We</p> <p>4 ended up -- I reached that conclusion only</p> <p>5 because where we ended up with it. But I</p> <p>6 believe that's what it was.</p> <p>7 Q. In connection with Tanya Honeywell's</p> <p>8 complaint, did you conduct an investigation or</p> <p>9 look into her concerns?</p> <p>10 MS. SATINSKY: Objection to form.</p> <p>11 THE WITNESS: I don't think so.</p> <p>12 BY MR. MUNSHI:</p> <p>13 Q. Did you ever meet or speak with Greg</p> <p>14 Wacker regarding Tanya Honeywell's claims?</p> <p>15 A. No.</p> <p>16 Q. Do you know if anybody within human</p> <p>17 resources did?</p> <p>18 A. No.</p> <p>19 Q. Did you ever speak with Ruth Briggs</p> <p>20 regarding Tanya Honeywell?</p> <p>21 A. No.</p> <p>22 Q. Did you have an understanding that Ruth</p> <p>23 Briggs had a reporting relationship with Tanya</p> <p>24 Honeywell?</p>

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<p style="text-align: right;">Page 25</p> <p>1 A. Not from my memory. 2 Q. Do you recall if Miss Honeywell raised 3 any allegations regarding retaliation by Greg 4 Wacker? 5 MS. SATINSKY: To her? 6 BY MR. MUNSHI: 7 Q. If you ever learned outside of what you 8 may have learned from counsel. 9 A. No. 10 Q. And this latest claim that you are aware 11 of from the assistant dean, was there any 12 allegation about retaliation there? 13 A. Sorry. Can you rephrase that? 14 Q. Yes. Going back to the assistant dean 15 that you were telling me about, were there any 16 allegations in connection with that concern 17 about retaliation? 18 A. No. 19 Q. Within your capacity as an HR 20 professional for about 30 years, do you agree 21 with me that certain managers may take actions 22 against individuals who do complain about 23 discrimination? 24 MS. SATINSKY: Objection to form.</p>	<p style="text-align: right;">Page 27</p> <p>1 Q. Coming back to Ruth Briggs here, at any 2 point prior to Miss Briggs' termination of 3 employment at Temple, did you learn that she had 4 complained about Dr. Wu? 5 A. Yes. 6 Q. Do you recall when the first time you 7 learned about that was? 8 A. Do you want the exact date? 9 Q. If you can give me the year. 10 A. Just my memory, when did Tanya leave? 11 Q. You mean Ruth? 12 A. When did Ruth leave? 13 Q. Ruth left in April of 2014. 14 A. Okay. So Ruth may have contacted me to 15 complain about her work situation maybe a year, 16 it might have been two years, maybe a year and a 17 half before. 18 Q. And the first time that she contacted 19 you regarding Dr. Wu, can you describe for me 20 what the circumstances were? 21 A. She just called to tell me that she felt 22 that Dr. Wu was demanding and that she and he 23 many times didn't see eye to eye on things. 24 Q. Anything else you recall about the</p>
<p style="text-align: right;">Page 26</p> <p>1 THE WITNESS: Do I agree that 2 managers will take action against employees 3 who -- 4 BY MR. MUNSHI: 5 Q. "Could" take action. 6 MS. SATINSKY: Objection to form. 7 You can answer if you understand it. 8 THE WITNESS: When you say "could," 9 you mean under -- with the blessings of HR? I'm 10 not really clear. 11 BY MR. MUNSHI: 12 Q. I will ask a more simple question. 13 Within your experience as an HR 14 professional for 30 years, do you believe that 15 retaliation may exist in the workplace? 16 A. Yes. 17 Q. And same within your capacity as an HR 18 professional for approximately 30 years, do you 19 believe that discrimination may exist in the 20 workplace? 21 A. Yes. 22 Q. And do you believe that a hostile work 23 environment may be created in the workplace? 24 A. Yes.</p>	<p style="text-align: right;">Page 28</p> <p>1 circumstances around Miss Briggs' first 2 complaint to you regarding Dr. Wu? 3 A. I think that was it. It was just really 4 being like oil and water. 5 Q. Did you understand at that time when she 6 raised a complaint about Dr. Wu that she was 7 complaining about how he was treating her in the 8 workplace? 9 A. Yes. 10 Q. Approximately how many times do you 11 recall having learned of any complaints by 12 Miss Briggs regarding Dr. Wu? 13 MS. SATINSKY: Outside of what you 14 might have learned from an in-house or external 15 lawyer for Temple. 16 BY MR. MUNSHI: 17 Q. Yes. And that is going to apply for 18 this whole, I am not going to ask you about any 19 complaints you had with any attorney. 20 A. Okay. So any complaint? 21 Q. From Miss Briggs regarding Dr. Wu? 22 A. Regarding Dr. Wu? 23 Q. Yes. 24 MS. SATINSKY: That you did not</p>

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<p style="text-align: right;">Page 29</p> <p>1 learn through counsel.</p> <p>2 THE WITNESS: Well over 10 or 11</p> <p>3 times. It may have been more.</p> <p>4 BY MR. MUNSHI:</p> <p>5 Q. Did Miss Briggs ever complain to you</p> <p>6 that she felt the relationship was abusive, or</p> <p>7 words to that effect?</p> <p>8 MS. SATINSKY: Objection to form.</p> <p>9 THE WITNESS: I don't think she ever</p> <p>10 used abusive, but she felt it was harsh, you</p> <p>11 know, or demanding.</p> <p>12 BY MR. MUNSHI:</p> <p>13 Q. Did she describe any instances or</p> <p>14 occurrences between her and Dr. Wu where she</p> <p>15 felt demeaned?</p> <p>16 A. Not that I recall.</p> <p>17 Can I go back on that question?</p> <p>18 Q. Sure.</p> <p>19 A. She would talk about the interaction</p> <p>20 between herself, Dr. Wu, and Drew, and she felt</p> <p>21 that situation was demeaning.</p> <p>22 Q. Did she describe what aspect of that</p> <p>23 relationship was demeaning?</p> <p>24 A. She didn't like the fact that Drew</p>	<p style="text-align: right;">Page 31</p> <p>1 it to him too. So many times that was our</p> <p>2 conversation, where he said to me, you know, she</p> <p>3 doesn't like these meetings. She complains</p> <p>4 about them. But they would be there for her, to</p> <p>5 help her, to assist her</p> <p>6 Q. When Miss Briggs would come to you and</p> <p>7 describe anything about the relationship with</p> <p>8 Dr. Wu and Drew DiMeo in those meetings, would</p> <p>9 you then follow up with Drew DiMeo and say, hey,</p> <p>10 this is what Miss Briggs just told me, is this</p> <p>11 what happened?</p> <p>12 A. Yes.</p> <p>13 Q. And would you do the same with Dr. Wu?</p> <p>14 A. I have to admit, I talked to Dr. Wu a</p> <p>15 handful of times. The majority of my</p> <p>16 conversations were with Greg Wacker and Drew.</p> <p>17 Q. So do you recall after Miss Briggs</p> <p>18 coming to you and describing anything that she</p> <p>19 felt was demeaning regarding her meetings with</p> <p>20 Dr. Wu and Drew DiMeo going to Dr. Wu and</p> <p>21 saying, what is up, what is happening here?</p> <p>22 A. I never went directly to Dr. Wu. All my</p> <p>23 conversations were with Greg Wacker and Drew.</p> <p>24 There were times where Dr. Wu</p>
<p style="text-align: right;">Page 30</p> <p>1 participated in a meeting with her and Dr. Wu to</p> <p>2 go over her work. She thought that was</p> <p>3 demeaning.</p> <p>4 Q. Anything else you recall her describing</p> <p>5 as demeaning?</p> <p>6 A. Just that situation. Just that I think</p> <p>7 it was maybe a weekly meeting and she wasn't</p> <p>8 happy with that circumstance.</p> <p>9 Q. Did you have an understanding that</p> <p>10 Mr. DiMeo reported to Greg Wacker?</p> <p>11 A. Yes.</p> <p>12 Q. Did you ever speak with Mr. DiMeo about</p> <p>13 his relationship with Miss Briggs?</p> <p>14 A. Yes.</p> <p>15 Q. Approximately how many times did you do</p> <p>16 that?</p> <p>17 A. Again, that's well over ten, 11, 12.</p> <p>18 Numerous times.</p> <p>19 Q. Did you express to Mr. DiMeo that</p> <p>20 Miss Briggs expressed to you that she felt there</p> <p>21 was something demeaning about the relationship?</p> <p>22 A. Yes.</p> <p>23 Q. How did he respond?</p> <p>24 A. Many times he expressed -- she expressed</p>	<p style="text-align: right;">Page 32</p> <p>1 reached out to me. That's the handful of times</p> <p>2 that I referred to.</p> <p>3 Q. At any point during Miss Briggs' tenure</p> <p>4 at Temple, did you go to Dr. Wu and ask him</p> <p>5 about anything regarding Miss Briggs?</p> <p>6 A. No.</p> <p>7 Q. How come?</p> <p>8 A. Mainly because for my role and the way</p> <p>9 that I basically functioned or the way I</p> <p>10 functioned with the College of Science and</p> <p>11 Technology, I worked through Greg Wacker and</p> <p>12 Drew DiMeo. If they had personnel issues, they</p> <p>13 contacted me. If I had issues, I contacted</p> <p>14 them. And I worked through them. They were the</p> <p>15 people in that office that were responsible for</p> <p>16 handling those issues. So I always worked</p> <p>17 through them.</p> <p>18 Q. Did you ever go to Dr. Wu and ask him --</p> <p>19 this is while Miss Briggs is still working</p> <p>20 there -- to confirm or deny if anything</p> <p>21 specifically happened?</p> <p>22 A. I never -- quite honest, from my memory,</p> <p>23 I never directly went to Dr. Wu.</p> <p>24 Q. But you would affirmatively go to Greg</p>

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<p style="text-align: right;">Page 33</p> <p>1 Wacker and Drew DiMeo?</p> <p>2 A. Yes.</p> <p>3 Q. Approximately how many discussions do</p> <p>4 you recall with Greg Wacker about Miss Briggs</p> <p>5 raising concerns about Dr. Wu?</p> <p>6 A. About five or six.</p> <p>7 Q. Did Greg Wacker ever come to you for</p> <p>8 advice on how to handle a workplace relationship</p> <p>9 between Dr. Wu and Ruth Briggs?</p> <p>10 A. Yes.</p> <p>11 Q. Approximately how many times did that</p> <p>12 happen?</p> <p>13 A. About five or six times.</p> <p>14 Q. And did Greg Wacker ever tell you that</p> <p>15 Miss Briggs had expressed to him that she felt</p> <p>16 the working relationship between her and Dr. Wu</p> <p>17 was causing her stress?</p> <p>18 A. Just to clarify, you are asking me did</p> <p>19 Greg ever tell me that Ruth Briggs came to him</p> <p>20 to complain?</p> <p>21 Q. Correct.</p> <p>22 A. He may have, but I don't recall</p> <p>23 specifically.</p> <p>24 Q. Do you recall him ever coming to you and</p>	<p style="text-align: right;">Page 35</p> <p>1 have, but I don't recall specifically.</p> <p>2 Q. Do you recall Ruth Briggs ever</p> <p>3 complaining directly to you that she felt that</p> <p>4 the environment was hostile?</p> <p>5 A. Yes.</p> <p>6 Q. Approximately how many times did she do</p> <p>7 that with you?</p> <p>8 A. Maybe five or six times.</p> <p>9 Q. Do you recall the circumstances around</p> <p>10 the first time that she raised hostile work</p> <p>11 environment with you?</p> <p>12 MS. SATINSKY: Objection to form.</p> <p>13 THE WITNESS: I don't recall the</p> <p>14 first time. I had a lot of conversations with</p> <p>15 Ruth Briggs, or she sent me e-mails. So what</p> <p>16 stands out for me is whenever she was</p> <p>17 disciplined for something, she would consider</p> <p>18 that to be hostile.</p> <p>19 BY MR. MUNSHI:</p> <p>20 Q. Do you remember any of the circumstances</p> <p>21 around her allegations to you about hostile work</p> <p>22 environment?</p> <p>23 MS. SATINSKY: Objection to form.</p> <p>24 THE WITNESS: Just whenever she was</p>
<p style="text-align: right;">Page 34</p> <p>1 expressing to you that Miss Briggs said to him</p> <p>2 that she felt harassed by Dr. Wu?</p> <p>3 A. I don't recall.</p> <p>4 Q. Do you recall him telling you that</p> <p>5 Miss Briggs had said to him, Greg Wacker, that</p> <p>6 Dr. Wu was yelling in the office?</p> <p>7 A. She may have.</p> <p>8 Q. And do you recall ever finding out if</p> <p>9 that was true, if Dr. Wu did yell in the office?</p> <p>10 A. What I recall is that Greg and Drew</p> <p>11 looked into if that was the case. And from my</p> <p>12 understanding, he sometimes maybe yelled at</p> <p>13 students that he was working with.</p> <p>14 Q. Did you ever discuss that with Dr. Wu as</p> <p>15 to whether he should or should not do that?</p> <p>16 A. I didn't. I'm sure that Greg and Drew</p> <p>17 did. To be specific, I know Drew talked with</p> <p>18 him about how he conducted his self.</p> <p>19 Q. And by "him," you mean Dr. Wu?</p> <p>20 A. Yes.</p> <p>21 Q. Do you recall Greg Wacker ever informing</p> <p>22 you that Ruth Briggs told him that she felt the</p> <p>23 environment was hostile?</p> <p>24 A. I don't recall specifically. She may</p>	<p style="text-align: right;">Page 36</p> <p>1 disciplined or if she was talked to about errors</p> <p>2 that she made where, you know, Dr. Wu, you know,</p> <p>3 talked to her about those errors or complained</p> <p>4 to her about things that weren't getting done,</p> <p>5 that's when she called me and said, you know,</p> <p>6 Dr. Wu's complaining about I didn't do this or</p> <p>7 she didn't do something correctly. Usually</p> <p>8 those were the circumstances that she considered</p> <p>9 to be hostile.</p> <p>10 BY MR. MUNSHI:</p> <p>11 Q. And then would you do anything as a</p> <p>12 result of her complaining about hostile work</p> <p>13 environment?</p> <p>14 MS. SATINSKY: Objection to form.</p> <p>15 You can answer the question.</p> <p>16 THE WITNESS: Yes, I would talk with</p> <p>17 Greg and Drew.</p> <p>18 BY MR. MUNSHI:</p> <p>19 Q. Greg and Drew didn't work within the</p> <p>20 same department as Ruth and Dr. Wu; correct?</p> <p>21 A. No, they didn't.</p> <p>22 Q. Were either one of them physically</p> <p>23 located in the same building as Dr. Wu?</p> <p>24 A. I believe they were in the same</p>

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<p style="text-align: right;">Page 37</p> <p>1 building.</p> <p>2 Q. What department did Greg and Drew work</p> <p>3 in?</p> <p>4 A. They worked in the dean's office.</p> <p>5 Q. And again, by "dean's office," Michael</p> <p>6 Klein's office?</p> <p>7 A. Yes.</p> <p>8 Q. Is it your understanding that Greg and</p> <p>9 Drew weren't physically present for every</p> <p>10 interaction that Ruth Briggs and Dr. Wu had?</p> <p>11 A. Yes.</p> <p>12 Q. After Ruth Briggs would raise an issue</p> <p>13 with you about the environment being hostile,</p> <p>14 would you give Greg or Drew any sort of</p> <p>15 instructions or directions as to what to do</p> <p>16 next?</p> <p>17 A. So when Ruth would call me -- honestly,</p> <p>18 I wasn't -- well, you are specifically asking</p> <p>19 about hostile, but she called me about other</p> <p>20 things. When she called me to complain about</p> <p>21 something, I contacted Drew and Greg. We talked</p> <p>22 about it. We talked about what was going on in</p> <p>23 the office, what the issues were. They told me</p> <p>24 they would look into it. They would call me</p>	<p style="text-align: right;">Page 39</p> <p>1 BY MR. MUNSHI:</p> <p>2 Q. Why is that?</p> <p>3 A. I found it difficult -- there were</p> <p>4 conversations I had with Dr. Wu. I found it</p> <p>5 difficult from my perspective to communicate</p> <p>6 with him. That is not the reason why I didn't</p> <p>7 communicate with him, but, you know, he was very</p> <p>8 busy. I wasn't in their area, their space. And</p> <p>9 again, as I explained earlier, when we handled</p> <p>10 personnel issues, I usually worked with Greg and</p> <p>11 Drew. They were the people that handled</p> <p>12 personnel issues.</p> <p>13 That doesn't mean I couldn't have</p> <p>14 contacted Dr. Wu. I just didn't. I worked with</p> <p>15 Greg.</p> <p>16 And they were pretty much on top of</p> <p>17 the situation. Greg, by having Drew sit in on</p> <p>18 those meetings and kind of mediate the issues</p> <p>19 between Drew and -- I mean between Dr. Wu and</p> <p>20 Ruth, they usually had firsthand knowledge.</p> <p>21 Q. Do you recall any conversations with</p> <p>22 Greg Wacker about Ruth Briggs' complaints about</p> <p>23 the environment being hostile?</p> <p>24 A. Okay, I'm sorry, repeat that again?</p>
<p style="text-align: right;">Page 38</p> <p>1 back. And then I would, you know, give them</p> <p>2 advice on, you know, how they should handle it.</p> <p>3 Q. And what was the nature of them looking</p> <p>4 into it?</p> <p>5 A. They would go down and talk with Dr. Wu.</p> <p>6 They also would talk to Ruth.</p> <p>7 Q. Did you ever have occasion to speak with</p> <p>8 Dr. Wu and Ruth together?</p> <p>9 A. I don't think I ever did.</p> <p>10 Q. So would the typical sequence of events</p> <p>11 be Ruth would talk with you, you would then talk</p> <p>12 with Greg and/or Drew, Greg and/or Drew would</p> <p>13 speak with Dr. Wu and/or Ruth, and then they</p> <p>14 would report back to you?</p> <p>15 MS. SATINSKY: Objection to form.</p> <p>16 THE WITNESS: Just so I'm clear,</p> <p>17 Ruth would talk to me. I would talk to Greg and</p> <p>18 Drew. They would talk to them and get back to</p> <p>19 me, yes.</p> <p>20 BY MR. MUNSHI:</p> <p>21 Q. Wouldn't it be easier for you just to</p> <p>22 talk to Dr. Wu yourself?</p> <p>23 MS. SATINSKY: Objection to form.</p> <p>24 THE WITNESS: No, it wouldn't have.</p>	<p style="text-align: right;">Page 40</p> <p>1 Q. Sure. Do you recall any conversations</p> <p>2 between you and Greg Wacker specifically about</p> <p>3 Ruth's complaints about the environment being</p> <p>4 hostile?</p> <p>5 A. Yes.</p> <p>6 Q. And how many times would that happen?</p> <p>7 MS. SATINSKY: Objection to form.</p> <p>8 BY MR. MUNSHI:</p> <p>9 Q. Sorry. How many times did that happen?</p> <p>10 A. Probably well over six times or more.</p> <p>11 Q. And was it your understanding that after</p> <p>12 you and Greg would talk, that Greg would then</p> <p>13 look into the situation?</p> <p>14 A. Not always. Greg would sometimes have</p> <p>15 an issue. He would know. So if I called him</p> <p>16 and said, listen, Ruth called, said this, he</p> <p>17 would have had that information. He'd say,</p> <p>18 listen, this is what happened.</p> <p>19 So many times it was in response to</p> <p>20 something that Ruth did not do or something Ruth</p> <p>21 did do and didn't do correctly and maybe it was</p> <p>22 surrounding a discipline. So many times when I</p> <p>23 called Greg was already on top of it and was</p> <p>24 already handling it.</p>

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<p style="text-align: right;">Page 41</p> <p>1 Q. Sure. How about situations where Greg 2 may not have already had firsthand knowledge, 3 was it your understanding that he would look 4 into it if there was a claim of hostile work 5 environment? 6 MS. SATINSKY: Objection to form. 7 THE WITNESS: Are you talking 8 specifically of Ruth or just in general? 9 BY MR. MUNSHI: 10 Q. Yes, we are only talking about Ruth 11 right now. 12 A. Only talking about Ruth? 13 If there was an issue or complaint, 14 he looked into it, yeah, he would look into it. 15 Q. Do you recall any conversations with 16 Greg Wacker about Ruth Briggs complaining that 17 she felt harassed? 18 A. Did I recall a conversation with Greg? 19 Q. Correct. 20 A. That she felt harassed? 21 Not that I recall. 22 Q. Let's take a look at this document that 23 was previously marked as P-11. Miss Walton, 24 take your time.</p>	<p style="text-align: right;">Page 43</p> <p>1 Q. And then up on top of P-11, Greg Wacker 2 then forwards this e-mail to you. Do you see 3 that? 4 A. Yes. 5 Q. And then Greg says, "I'll call you later 6 to discuss." 7 Do you see that? 8 A. Yes. 9 Q. And do you recall having a conversation 10 with Greg Wacker about this e-mail that's P-11? 11 A. I don't recall specifically this 12 discussion with him. 13 Q. Do you recall having a discussion with 14 Ruth Briggs about the e-mail that was forwarded 15 to you? 16 A. Okay, so not the e-mail specifically, 17 but she's complained, like I mentioned earlier, 18 him yelling at students in Chinese. 19 Q. And how about what she writes here about 20 frankly it borders on harassment, do you recall 21 any conversations with Ruth Briggs where she 22 used that word, "harassment" or "harass"? 23 A. I don't specifically recall, but she may 24 have, but I don't specifically recall.</p>
<p style="text-align: right;">Page 42</p> <p>1 I apologize. I just called you 2 Miss Walton. But I see there is a fuller name 3 there. What do you prefer? 4 A. Walton is fine. 5 Okay. 6 Q. So the bottom e-mail on P-11 is from 7 Ruth Briggs to Greg Wacker dated October 29th, 8 2010. 9 Do you see that? 10 A. Uh-huh. 11 Q. Just verbalize, please. 12 A. I'm sorry. Yes. 13 Q. That is okay. Everyone does it. 14 The second paragraph from 15 Miss Briggs starts with, "Frankly, it borders on 16 harassment. Right now he is in his office 17 yelling in Chinese at one of his students. The 18 he starts complaining to Justin in Chinese about 19 the dean's office. The environment is hostile." 20 Do you see that? 21 A. Yes. 22 Q. And do you have an understanding 23 that "he" is referring to Dr. Wu? 24 A. Yes.</p>	<p style="text-align: right;">Page 44</p> <p>1 She has talked about, you know, the 2 environment being hostile and him yelling at 3 students in Chinese. 4 Q. And do you recall having a conversation 5 with Greg Wacker about having him look into an 6 allegation from Miss Briggs about harassment? 7 MS. SATINSKY: Objection to form. 8 Asked and answered. You can answer the 9 question. 10 THE WITNESS: I don't recall. 11 BY MR. MUNSHI: 12 Q. As an HR professional getting an e-mail 13 like this forwarded to you, does that raise a 14 concern with you? 15 MS. SATINSKY: Objection to form. 16 THE WITNESS: Yes, it does, it 17 raises an issue -- did you say objection? What 18 was your question, does it raise an objection to 19 me? 20 BY MR. MUNSHI: 21 Q. A concern? 22 A. A concern, yes. 23 Q. Why? 24 A. Okay, so at the university I would be</p>

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<p style="text-align: right;">Page 45</p> <p>1 concerned about students being yelled at and 2 someone complaining that their environment is 3 hostile. 4 Q. Do you recall ever asking Miss Briggs 5 why she felt the environment was hostile? 6 MS. SATINSKY: Objection to form. 7 Asked and answered. 8 You can answer the question. 9 THE WITNESS: Yes. 10 BY MR. MUNSHI: 11 Q. And did you understand that her feelings 12 of the environment being hostile stemmed from 13 her relationship with Dr. Wu? 14 A. Yes. 15 Q. Did you also understand that she thought 16 the environment was hostile because of Greg 17 Wacker? 18 A. No. 19 Q. So just Dr. Wu or anybody else? 20 A. Just Dr. Wu. 21 Q. In those handful of conversations that 22 you had with Dr. Wu, were any of them about Ruth 23 Briggs? 24 MS. SATINSKY: Objection to form.</p>	<p style="text-align: right;">Page 47</p> <p>1 role vis-à-vis Ruth and Dr. Wu? 2 MS. SATINSKY: Objection to form. 3 THE WITNESS: From my memory, I 4 think it was at least two years before she left 5 or a year and a half before she left. 6 BY MR. MUNSHI: 7 Q. Take a look at this document that was 8 previously marked as P-6. 9 A. (Pause.) 10 Okay. 11 Q. So in front of you is P-6. This is a 12 disciplinary report to the Ruth Briggs dated 13 November 9th, 2011. 14 A. Uh-huh. 15 Q. Under the explanation tab it says, 16 "Violation of Rule B.11, 17 unprofessional/inappropriate conduct." 18 Do you see that? 19 A. Uh-huh. 20 Q. Sorry. Just verbalize. 21 A. I'm sorry. Yes. I think I said that 22 twice. I apologize. 23 Q. That is okay. Everyone does it. 24 In connection with this disciplinary</p>
<p style="text-align: right;">Page 46</p> <p>1 Asked and answered. 2 You can answer the question again. 3 BY MR. MUNSHI: 4 Q. My question is really, I just want to 5 understand if you were telling me about 6 conversations that you may have had with Dr. Wu 7 that had nothing to do with Ruth Briggs? 8 MS. SATINSKY: Objection to form. 9 Asked and answered. You can answer the 10 question. 11 THE WITNESS: Every time I talked to 12 Dr. Wu about Ruth Briggs. 13 BY MR. MUNSHI: 14 Q. That is all I was going for. 15 Do you recall Dr. Wu issuing to 16 Miss Briggs discipline, disciplinary reports? 17 A. Did I recall Dr. Wu issuing them? 18 Q. Yes. 19 A. From my memory, they were issued along 20 with, I believe Drew was always there. 21 Q. Do you know when Drew started working at 22 Temple? 23 A. No, I don't know. 24 Q. Do you know when he started having that</p>	<p style="text-align: right;">Page 48</p> <p>1 report that was given to Ruth Briggs, did you 2 participate in it or facilitate it in any way? 3 A. They may have contacted me for guidance, 4 but I don't recall specifically. 5 Q. Had you ever met with or spoke with Ruth 6 Briggs prior to her working under Dr. Wu? 7 A. Yes. 8 Q. You had an understanding that she had 9 been working at Temple prior to her working in 10 this department; correct? 11 A. Yes. 12 Q. Prior to November 9th, 2011, do you 13 recall her ever getting any sort of disciplinary 14 report like this? 15 A. I don't recall. She may have, but I 16 don't recall specifically. 17 Q. Do you recall any conversations with 18 Greg Wacker or Dr. Wu or anybody about the idea 19 of issuing Ruth Briggs a discipline in 20 November 2011? 21 MS. SATINSKY: Objection to form. 22 Asked and answered. 23 You can answer it again. 24 THE WITNESS: I don't recall.</p>

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<p style="text-align: right;">Page 49</p> <p>1 BY MR. MUNSHI: 2 Q. Do you know whose decision it was to 3 issue this discipline? 4 A. I'm sure Dr. Wu made the decision with 5 guidance and counsel. I just don't recall who 6 gave him that guidance. 7 It could have been -- it probably 8 was Greg, but I just don't recall. 9 Q. And you see here under explanation that 10 there is a reference to unprofessional/ 11 inappropriate conduct. 12 A. Uh-huh. 13 Q. Do you see it is not specified as to 14 what that is; right? 15 A. Uh-huh, yes. 16 Q. Do you have any recollection or 17 knowledge as to what that inappropriate or 18 unprofessional conduct of Ruth Briggs was that 19 resulted in this discipline? 20 A. Because it is unprofessional or 21 inappropriate conduct, I know there was 22 interaction between her and Dr. Wu where she 23 blew up. The dates are throwing me, so forgive 24 me. So this may have been that incident.</p>	<p style="text-align: right;">Page 51</p> <p>1 where she expressed this to you? 2 A. It was over the phone, definitely. 3 Q. And do you recall her expressing or your 4 perception that she was offended by it? 5 MS. SATINSKY: Objection to form. 6 THE WITNESS: She was complaining 7 about it, yeah. 8 BY MR. MUNSHI: 9 Q. Do you recall her saying to you that he 10 said words to the effect of women in China must 11 retire at the age of 55? 12 MS. SATINSKY: Objection to form. 13 Asked and answered. 14 You can answer the question. 15 THE WITNESS: I don't recall her 16 specifically saying that. Just that he was 17 talking about the retirement age in China. 18 BY MR. MUNSHI: 19 Q. And do you recall her saying it was 20 specifically about women? 21 A. She mentioned women, yes. But she also 22 mentioned that he was talking generally as well, 23 but she mentioned, she did mention women. 24 Q. In your capacity as an HR professional</p>
<p style="text-align: right;">Page 50</p> <p>1 Specifically I'm not sure. 2 Q. Do you know of any e-mails or memos to 3 the file or notes regarding what the conduct was 4 that Miss Briggs allegedly did that resulted in 5 this discipline? 6 A. I don't recall offhand. 7 Q. Do you recall ever discussing this 8 discipline with Ruth Briggs? 9 A. I just don't remember. 10 Q. Do you recall ever having a conversation 11 with Ruth Briggs where she expressed that Dr. Wu 12 made a comment to her about the retirement age 13 in China? 14 A. I recall her relaying to me that Dr. Wu 15 was having a conversation where he mentioned 16 that, yes. 17 Q. Do you recall what she mentioned to you? 18 A. She said that he had just -- that he was 19 generally speaking in the office and talking to 20 others and talking about the retirement age in 21 the country that he came from. 22 Q. China? 23 A. China. 24 Q. Was this over the phone or in person</p>	<p style="text-align: right;">Page 52</p> <p>1 for approximately 30 years, do you believe that 2 a comment made in the workplace about retirement 3 of women in China could be an inappropriate 4 thing to say in the workplace? 5 MS. SATINSKY: Objection to form. 6 THE WITNESS: It would depend on the 7 context. 8 BY MR. MUNSHI: 9 Q. Did you think it was appropriate for 10 Ruth Briggs to come to you and complain that 11 Dr. Wu had made that comment to her? 12 MS. SATINSKY: Objection to form. 13 THE WITNESS: Do I think it was 14 appropriate for her to come to me and complain? 15 Because of her perception, it was 16 her perception, I can't judge her perception, so 17 yes. 18 BY MR. MUNSHI: 19 Q. Did you look into that complaint that 20 she raised with you? 21 MS. SATINSKY: Objection to form. 22 THE WITNESS: I talked with -- 23 again, I talked with Greg and Drew and I asked 24 them to talk with Dr. Wu and find out if this</p>

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<p style="text-align: right;">Page 53</p> <p>1 occurred in the way that Ruth presented it. 2 BY MR. MUNSHI: 3 Q. And do you recall if you said that to 4 them in person or over the phone? 5 A. It was over the phone. 6 Q. Did they ever get back to you? 7 A. Yes. 8 Q. Both of them or one of them? Who got 9 back to you? 10 A. It could have been either one of them. 11 One of them got back to me. 12 Q. What did they tell you? 13 A. That again, they said that -- not again. 14 But they said that Dr. Wu did not present it in 15 the way that Ruth brought it to me. That he was 16 speaking, and he wasn't -- their defense was 17 that the doctor was not speaking specifically to 18 her, that he was talking generally. 19 Q. Was it your understanding that there 20 were other people in the room when he made the 21 comment? 22 A. Yes. 23 Q. Did you speak to anybody else besides 24 Greg or Drew about Ruth Briggs' complaint about</p>	<p style="text-align: right;">Page 55</p> <p>1 confirm Ruth's reply back. They may have told 2 me. I don't recall. But they got back to me 3 generally of what took place. 4 Q. And when Ruth is telling you about this, 5 did she also explain that this comment from 6 Dr. Wu was right before her birthday? 7 A. No. 8 Q. Have you ever met Ruth Briggs in person 9 before? 10 A. Yes. 11 Q. Did you understand that back in the 2014 12 period she was in her 50s? 13 A. Yes. 14 Q. P-6 in front of you, it is dated 15 November 9th, 2011. 16 Do you see that? 17 A. Yes. 18 Q. Did you know that Ruth Briggs' birthday 19 was November 10th? 20 A. No. 21 MR. MUNSHI: Do you need a comfort 22 break? 23 MS. SATINSKY: Sure. 24 (Recess.)</p>
<p style="text-align: right;">Page 54</p> <p>1 this comment? 2 MS. SATINSKY: Objection to form. 3 THE WITNESS: No, I didn't. 4 BY MR. MUNSHI: 5 Q. Did you ever learn that Ruth responded 6 to Dr. Wu's comment by saying words to the 7 effect of, "We're in the United States, not 8 China?" 9 MS. SATINSKY: Objection to form. 10 THE WITNESS: I think she may have 11 said that to me. 12 BY MR. MUNSHI: 13 Q. Same conversation that you had with her? 14 A. Yes. 15 Q. Did you ask Greg and Drew to look into 16 that aspect as well? 17 A. I asked them to look into the whole 18 conversation. 19 Q. And did they ever, one or both of them, 20 ever get back to you regarding that specific 21 comment that Ruth made? 22 A. They looked into it, into the situation 23 and the conversation. They got back to me and 24 told me what took place. I didn't ask them to</p>	<p style="text-align: right;">Page 56</p> <p>1 BY MR. MUNSHI: 2 Q. Miss Walton, we were talking about 3 discipline that Ruth Briggs received in November 4 of 2011. 5 Do you recall her also receiving 6 discipline in March of 2013? 7 A. Yes. 8 Q. And what do you recall about the 9 circumstances around that discipline? 10 A. From my memory, I think that's the one 11 where she was supposed to schedule a faculty 12 member to -- I'm sorry. She was responsible for 13 scheduling the travel arrangements for a 14 visiting prospect for a faculty position. 15 Q. Do you recall her receiving a three-day 16 suspension without pay in connection with that 17 issue? 18 A. Yes. 19 Q. And did you play any role in connection 20 with issuing that discipline? 21 A. Yes. I counseled them. The dean's 22 office, Greg, called me and said this is -- it 23 may have been in conjunction with Drew. They 24 contacted me and they told me the circumstances</p>

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<p style="text-align: right;">Page 57</p> <p>1 of what took place and asked for my advice. 2 Q. Did you ever discuss the discipline with 3 Ruth Briggs? 4 A. Yes. 5 Q. And do you recall her expressing to you 6 that she felt the discipline was too severe? 7 A. Yes. 8 Q. In your time over at Temple, had you 9 ever seen an employee within that department of 10 CIS receive a discipline with three days of no 11 pay? 12 A. I'm not in on every discipline that's 13 taken place at CIS, so I don't know. 14 Q. Just what you have seen? 15 A. Just what I have seen? No, I haven't 16 handled any. 17 Q. Who made the decision that she should 18 receive three days without pay as the 19 discipline? 20 A. Greg and I talked about it. We looked 21 at our results of conduct and we chose, based on 22 the severity of what took place, what the 23 violation should be. 24 Q. Was it your decision or Greg's decision?</p>	<p style="text-align: right;">Page 59</p> <p>1 A. Yes. 2 Q. Did you talk with Ruth about that? 3 A. Yes, I did. 4 Q. Did you tell Greg Wacker -- he's not on 5 this e-mail -- did you tell Greg Wacker that 6 Miss Briggs felt she was being treated unfairly 7 with this punishment? 8 A. Greg and I discussed this situation. He 9 was already aware that she felt this way, so we 10 had discussion. I told him that she had 11 e-mailed me. He told me that he was aware. I 12 guess she may have talked to Drew or even Greg 13 directly about her concerns. So yeah, I had a 14 conversation with him about it. 15 Q. And did Ruth Briggs express to you that 16 she felt like she was being singled out with 17 regard to this punishment? 18 A. Well, I think in the letter she states 19 that. 20 Q. She writes here, quote, There are 21 different standards for performance and 22 productivity which are not justified." 23 Did she express to you that she felt 24 basically she was held to a double standard by</p>
<p style="text-align: right;">Page 58</p> <p>1 A. Ultimately it's the department's 2 decision. I basically give them my advice based 3 on our rules of conduct. 4 Q. Did you ever discuss this particular 5 discipline with Dr. Wu? 6 A. I don't know if I talked to Dr. Wu. 7 MR. MUNSHI: Let's have this 8 document marked as <u>P-26</u>. 9 (<u>P-26</u> was marked for 10 identification.) 11 BY MR. MUNSHI: 12 Q. Take your time and review <u>P-26</u>. 13 A. (Pause.) 14 Q. In reviewing <u>P-26</u>, do you recall 15 Miss Briggs objecting to the severity of this 16 discipline to you? 17 A. Yes. 18 Q. Did you ever have a discussion with Greg 19 Wacker about Ruth Briggs' objection to the 20 severity? 21 A. I'm sure we discussed it. 22 Q. Did you have an understanding from Ruth 23 Briggs that she felt that she was being treated 24 unfairly with regard to this punishment?</p>	<p style="text-align: right;">Page 60</p> <p>1 Dr. Wu? 2 MS. SATINSKY: Objection to form. 3 THE WITNESS: Not a double standard, 4 but she felt that, you know, in her mind, others 5 make mistakes and they are not dealt with, but 6 she makes mistakes and she is. 7 BY MR. MUNSHI: 8 Q. Did you similarly ask Greg or Drew to 9 look into Miss Briggs' concerns about how she 10 was being punished here? 11 MS. SATINSKY: Objection to form. 12 THE WITNESS: I talked with them 13 about it. We talked about her accusations of 14 other people in the office. They assured me 15 that everyone was treated equally and that there 16 weren't -- there was no one in the office making 17 the mistakes that she was making. 18 BY MR. MUNSHI: 19 Q. And did you ask Greg or Drew to follow 20 up with Dr. Wu and say, "This is what Ruth is 21 saying about how she is being treated"? 22 MS. SATINSKY: Objection to form. 23 THE WITNESS: Just to be clear, you 24 are asking did I ask them to follow up with</p>

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<p style="text-align: right;">Page 61</p> <p>1 Dr. Wu?</p> <p>2 BY MR. MUNSHI:</p> <p>3 Q. Right. Because I understand you didn't</p> <p>4 talk to Dr. Wu.</p> <p>5 A. Right.</p> <p>6 Yes.</p> <p>7 Q. And did they get back to you?</p> <p>8 A. Yes. They got back to me, but they were</p> <p>9 an integral part of what was going on in that</p> <p>10 department. So when I say "they," more</p> <p>11 specifically Drew. So, you know, they knew that</p> <p>12 things were going on. You know, Dr. Wu worked</p> <p>13 with them consistently if he had issues with</p> <p>14 anyone in his office. So they were aware of any</p> <p>15 issues or concerns.</p> <p>16 Q. At any point prior to the termination of</p> <p>17 employment of Ruth Briggs, did you learn that</p> <p>18 she complained about comments regarding her age</p> <p>19 from Dr. Wu?</p> <p>20 MS. SATINSKY: Objection to form.</p> <p>21 BY MR. MUNSHI:</p> <p>22 Q. Besides the comment we already talked</p> <p>23 about.</p> <p>24 A. No.</p>	<p style="text-align: right;">Page 63</p> <p>1 Q. If it was within that context, would you</p> <p>2 want to find out more information?</p> <p>3 MS. SATINSKY: Objection to form.</p> <p>4 THE WITNESS: Yes.</p> <p>5 BY MR. MUNSHI:</p> <p>6 Q. Would you want to look into those</p> <p>7 allegations as an HR professional?</p> <p>8 MS. SATINSKY: Objection to form.</p> <p>9 THE WITNESS: Yes.</p> <p>10 BY MR. MUNSHI:</p> <p>11 Q. Do you know who Cameron Etezady is?</p> <p>12 A. Yes.</p> <p>13 Q. Did you ever speak with him at any time?</p> <p>14 A. No.</p> <p>15 MS. SATINSKY: I just want it to be</p> <p>16 clear, you can testify if you have ever spoken</p> <p>17 with Cameron. I don't want you to testify at</p> <p>18 this point as to anything you discussed, have</p> <p>19 discussed with Cameron or may have discussed.</p> <p>20 THE WITNESS: Sure.</p> <p>21 BY MR. MUNSHI:</p> <p>22 Q. So the answer was yes that you have</p> <p>23 spoken with him?</p> <p>24 MS. SATINSKY: I think it was no.</p>
<p style="text-align: right;">Page 62</p> <p>1 Q. Did you ever talk with Sandy Foehl, and</p> <p>2 I may be mispronouncing that name. Is it Foehl?</p> <p>3 A. It's "Foehl."</p> <p>4 Q. Did you ever speak with Sandy Foehl</p> <p>5 about Ruth Briggs?</p> <p>6 A. Yes.</p> <p>7 Q. And did Sandy Foehl ever express to you</p> <p>8 that Ruth Briggs had said to Sandy that there</p> <p>9 were comments being made about my age by Dr. Wu?</p> <p>10 MS. SATINSKY: Objection to form.</p> <p>11 THE WITNESS: She may have. I don't</p> <p>12 recall specifically. I don't recall</p> <p>13 specifically.</p> <p>14 BY MR. MUNSHI:</p> <p>15 Q. Is that something as an HR professional</p> <p>16 of almost 30 years or so that would raise a</p> <p>17 concern with you, if there is a manager in the</p> <p>18 workplace making comments regarding age to an</p> <p>19 employee?</p> <p>20 MS. SATINSKY: Objection to form.</p> <p>21 THE WITNESS: It would be a concern</p> <p>22 to me if it was in the context of their age and</p> <p>23 their employment.</p> <p>24 BY MR. MUNSHI:</p>	<p style="text-align: right;">Page 64</p> <p>1 THE WITNESS: It was no.</p> <p>2 BY MR. MUNSHI:</p> <p>3 Q. Sorry. I mixed that up.</p> <p>4 A. Generally or in regards to Ruth Briggs?</p> <p>5 Q. Just talking about Ruth Briggs.</p> <p>6 A. No.</p> <p>7 Q. Do you know who Fay Trachtenberg is?</p> <p>8 A. Yes.</p> <p>9 Q. Same question, not getting into the</p> <p>10 communications, did you speak with her about</p> <p>11 Ruth Briggs?</p> <p>12 MS. SATINSKY: Prior to the end of</p> <p>13 Ruth's employment at Temple?</p> <p>14 MR. MUNSHI: Yes.</p> <p>15 THE WITNESS: No.</p> <p>16 BY MR. MUNSHI:</p> <p>17 Q. Were you aware that Ruth Briggs was</p> <p>18 having communications with Cameron Etezady?</p> <p>19 A. No.</p> <p>20 Q. Were you aware that Ruth Briggs was</p> <p>21 having communications with Fay Trachtenberg?</p> <p>22 A. No.</p> <p>23 Q. Were you aware that Ruth Briggs was</p> <p>24 having communications with Sandy Foehl?</p>

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<p style="text-align: right;">Page 65</p> <p>1 MS. SATINSKY: Objection to form. 2 Asked and answered. 3 THE WITNESS: I may have. 4 BY MR. MUNSHI: 5 Q. Anything you can recall right now about 6 your conversations with Sandy Foehl and any 7 complaints that Ruth Briggs raised with her? 8 MS. SATINSKY: Objection to form. 9 THE WITNESS: I don't recall 10 specifically, but I know Sandy did call to say 11 Ruth complained to her about her working 12 relationship, her working situation. 13 BY MR. MUNSHI: 14 Q. Approximately when did that happen? 15 A. I couldn't tell you. 16 Q. Do you recall if it was in the year of 17 2014 when she was terminated or some time 18 earlier than that? 19 MS. SATINSKY: Objection to form. 20 THE WITNESS: It could have been 21 earlier. I mean it could have been in '14 and 22 earlier. 23 BY MR. MUNSHI: 24 Q. Are you aware if Sandy Foehl ever spoke</p>	<p style="text-align: right;">Page 67</p> <p>1 Briggs beyond what we have already talked about 2 today? 3 A. Beyond what we talked about? Yeah. I 4 mean he would call me many times. I shouldn't 5 say many times. He would call me a number of 6 times after meeting with Ruth and Dr. Wu. 7 Q. And did Drew ever express to you that 8 Dr. Wu was frustrated with Ruth Briggs? 9 A. They both had become frustrated. 10 Q. And did Ruth ever express to you that 11 she felt intimidated by Dr. Wu? 12 A. I don't think she was ever intimidated. 13 She never came off intimidated to me because she 14 many times gave back to Dr. Wu. I mean she 15 pushed back herself. 16 Q. Did she ever express to you that she was 17 afraid of being retaliated against? 18 A. No. 19 Q. There was a third discipline that was 20 issued to Ruth Briggs in January 2014. 21 Do you recall that? 22 A. In January? 23 Q. Of 2014. 24 A. Off the top of my head, I recall a</p>
<p style="text-align: right;">Page 66</p> <p>1 with Dr. Wu about Ruth Briggs? 2 A. No, I'm not aware of that. 3 Q. Are you aware if Sandy Foehl ever spoke 4 with Greg Wacker about Ruth Briggs? 5 MS. SATINSKY: Other than what you 6 may have learned from an attorney. 7 THE WITNESS: No. 8 BY MR. MUNSHI: 9 Q. How about with Drew DiMeo, are you aware 10 of any conversations between Sandy Foehl and 11 Drew DiMeo regarding Ruth Briggs? 12 MS. SATINSKY: Again, other than 13 what you may have learned from an attorney. 14 BY MR. MUNSHI: 15 Q. It is going to be the same instruction 16 the whole day. I think you get it. 17 MS. SATINSKY: I am going to put my 18 objection on the record. 19 BY MR. MUNSHI: 20 Q. I have faith in your ability to 21 understand. 22 A. To be honest, I'm not sure. 23 Q. Did you have any conversations with Drew 24 DiMeo, just the two of you, regarding Ruth</p>	<p style="text-align: right;">Page 68</p> <p>1 discipline, but I don't remember specifics of 2 it. 3 Q. Let's take a look at P-18. 4 A. (Pause.) 5 Q. Do you recall this disciplinary report 6 that Miss Briggs received in January 2014? 7 A. I recall seeing this, yes. 8 Q. Did you play any role in issuing or 9 facilitating this disciplinary report? 10 A. I don't recall specifically, but I'm 11 sure Drew called me. 12 Q. Do you recall talking with Ruth Briggs 13 about this discipline? 14 A. I'm not sure. I'm sure she called me. 15 Q. Do you recall her telling you, this was 16 an issue about her being late to work one day? 17 A. Uh-huh. 18 MS. SATINSKY: Objection to form. 19 BY MR. MUNSHI: 20 Q. Do you recall her telling you that she 21 had called a student-worker to say she was going 22 to be late? 23 A. Yes. 24 Q. Did you ever speak with that</p>

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<p style="text-align: right;">Page 69</p> <p>1 student-worker?</p> <p>2 A. No, I didn't.</p> <p>3 Q. Do you know if Greg Wacker ever did or</p> <p>4 Drew DiMeo ever did?</p> <p>5 A. It's my understanding that they did.</p> <p>6 Q. And did they report back to you what</p> <p>7 this person said?</p> <p>8 A. Yes, I'm sure -- yes, they did.</p> <p>9 Q. Any recollection of what they told you?</p> <p>10 A. From my memory of the situation, Ruth</p> <p>11 did not report to work timely. When she called</p> <p>12 in, she didn't call her supervisor or anyone in</p> <p>13 a leadership role. She called a student and the</p> <p>14 student confirmed that.</p> <p>15 Q. Do you recall Ruth saying that Dr. Wu</p> <p>16 wasn't available at the time that she called?</p> <p>17 A. Yes.</p> <p>18 Q. And do you know Judy Lennon?</p> <p>19 A. I've heard of her. I don't know her.</p> <p>20 Q. Do you recall her being an</p> <p>21 administrative assistant in that department?</p> <p>22 MS. SATINSKY: Objection to form.</p> <p>23 THE WITNESS: No.</p> <p>24 BY MR. MUNSHI:</p>	<p style="text-align: right;">Page 71</p> <p>1 she did not contact the proper people to report</p> <p>2 that she was not going to be at work. And</p> <p>3 contacting a student wasn't sufficient. My</p> <p>4 understanding, from my memory, I don't believe</p> <p>5 the student had passed that message on.</p> <p>6 So what she did wrong was that she</p> <p>7 did not report, nor did she show up.</p> <p>8 BY MR. MUNSHI:</p> <p>9 Q. You understood from her that she said</p> <p>10 that she did call Dr. Wu but he wasn't</p> <p>11 available; right?</p> <p>12 A. Yes.</p> <p>13 Q. Did you look into that if that was true?</p> <p>14 A. I believed her that she did, that she</p> <p>15 attempted to call Dr. Wu. In speaking with her</p> <p>16 specifically, I said to her that there were a</p> <p>17 number of other avenues. She could have called</p> <p>18 the dean's office. She could have called Greg</p> <p>19 Wacker. She could have called Drew DiMeo. She</p> <p>20 could have sent an e-mail. There were many</p> <p>21 other ways she could have communicated if she</p> <p>22 was not reaching Dr. Wu other than report to a</p> <p>23 student.</p> <p>24 Q. Well, was it your understanding that she</p>
<p style="text-align: right;">Page 70</p> <p>1 Q. Do you recall Ruth Briggs telling you</p> <p>2 she also tried contacting Judy Lennon but she</p> <p>3 was not available?</p> <p>4 A. Yes. Not Judy specifically. I don't</p> <p>5 remember her name. But she did say she tried to</p> <p>6 contact someone else in the office.</p> <p>7 Q. Did you give any sort of a</p> <p>8 recommendation with regard to this discipline</p> <p>9 that is P-18?</p> <p>10 A. Yes, I'm sure they contacted me.</p> <p>11 Q. And the discipline that is given here is</p> <p>12 a written warning. Do you see that?</p> <p>13 A. Yes.</p> <p>14 Q. And prior to January 20th, 2014, did</p> <p>15 Ruth Briggs have any ongoing issues with being</p> <p>16 tardy or not showing up to work?</p> <p>17 A. I don't know.</p> <p>18 Q. What did Ruth Briggs do wrong to warrant</p> <p>19 a written warning?</p> <p>20 MS. SATINSKY: Objection to form.</p> <p>21 THE WITNESS: Well, she didn't, she</p> <p>22 didn't arrive to work at her report time, and</p> <p>23 she didn't call out. And then when she did</p> <p>24 call, which was way after her shift had started,</p>	<p style="text-align: right;">Page 72</p> <p>1 specifically called that student-worker or that</p> <p>2 that was the person who answered the phone?</p> <p>3 A. Well, obviously it was, yes, it was the</p> <p>4 person who answered the phone.</p> <p>5 Q. So you understood that she had called</p> <p>6 the office and it just so happens that a</p> <p>7 student-worker is the one who answers the phone?</p> <p>8 MS. SATINSKY: Objection to form.</p> <p>9 THE WITNESS: I understand that it</p> <p>10 was a student-worker that she said that she told</p> <p>11 that she was not going to be -- that she was</p> <p>12 coming into work late that day.</p> <p>13 BY MR. MUNSHI:</p> <p>14 Q. And had she ever gotten any other</p> <p>15 warnings for tardiness or no call/no shows that</p> <p>16 you are aware of?</p> <p>17 MS. SATINSKY: Objection to form.</p> <p>18 Asked and answered. You can answer.</p> <p>19 THE WITNESS: Not that I recall.</p> <p>20 Not that I know of.</p> <p>21 BY MR. MUNSHI:</p> <p>22 Q. Are you aware of any other employee at</p> <p>23 Temple receiving a disciplinary report or</p> <p>24 written warning for a one-time situation of</p>

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<p style="text-align: right;">Page 73</p> <p>1 being late like this?</p> <p>2 A. Yes.</p> <p>3 MS. SATINSKY: Objection to form.</p> <p>4 BY MR. MUNSHI:</p> <p>5 Q. Did you speak with Greg Wacker after</p> <p>6 Miss Briggs objected to this?</p> <p>7 MS. SATINSKY: Objection to form.</p> <p>8 BY MR. MUNSHI:</p> <p>9 Q. Did you understand that Ruth Briggs</p> <p>10 objected to the discipline that she received?</p> <p>11 A. Yes.</p> <p>12 Q. Did you speak with Greg Wacker after she</p> <p>13 objected to it?</p> <p>14 A. Yes.</p> <p>15 Q. What do you recall speaking with Greg</p> <p>16 about?</p> <p>17 A. I told Greg she was upset about it, that</p> <p>18 she disagreed with it.</p> <p>19 And I just relayed to him my</p> <p>20 conversation with her.</p> <p>21 Q. As you saw here, this is January of</p> <p>22 2014, and we have looked at e-mails starting in</p> <p>23 2010 about Miss Briggs raising concerns about</p> <p>24 how she was being treated in the workplace;</p>	<p style="text-align: right;">Page 75</p> <p>1 the early 2000's. Her performance has not</p> <p>2 always been good. So there's been concerns or</p> <p>3 issues, and I dealt with her in the past, so it</p> <p>4 wasn't a concern for me, no.</p> <p>5 Q. At any point while Miss Briggs was</p> <p>6 employed at Temple, did you ever reach a</p> <p>7 conclusion that there was merit or no merit to</p> <p>8 her complaints of the environment being hostile?</p> <p>9 MS. SATINSKY: Objection to form.</p> <p>10 THE WITNESS: I never reached a</p> <p>11 conclusion. I thought there were mitigating</p> <p>12 circumstances, and sometimes she contributed</p> <p>13 towards the work environment.</p> <p>14 BY MR. MUNSHI:</p> <p>15 Q. What do you mean by "mitigating</p> <p>16 circumstances"?</p> <p>17 A. So what I mean is that mitigating,</p> <p>18 meaning that there were things that Ruth also</p> <p>19 contributed to the work environment. You know,</p> <p>20 she also became -- she talked about Dr. Wu being</p> <p>21 hostile. She also at times raised her voice and</p> <p>22 became hostile as well.</p> <p>23 So it was a combination of things</p> <p>24 that went on. So I didn't think that this was a</p>
<p style="text-align: right;">Page 74</p> <p>1 right?</p> <p>2 A. Yes.</p> <p>3 MS. SATINSKY: Objection to form.</p> <p>4 BY MR. MUNSHI:</p> <p>5 Q. Did that raise any --</p> <p>6 MS. SATINSKY: Let me put my</p> <p>7 objection on the record before you start</p> <p>8 talking.</p> <p>9 MR. MUNSHI: Was it on, Terry?</p> <p>10 COURT REPORTER: Yes.</p> <p>11 BY MR. MUNSHI:</p> <p>12 Q. Did it raise any concern with you that</p> <p>13 Ruth Briggs was now coming to you again saying</p> <p>14 that she felt she was being singled out or</p> <p>15 treated differently?</p> <p>16 MS. SATINSKY: Objection to form.</p> <p>17 THE WITNESS: Just to clarify, did</p> <p>18 it raise any concerns, that's your question?</p> <p>19 BY MR. MUNSHI:</p> <p>20 Q. Yes.</p> <p>21 A. No.</p> <p>22 Q. How come?</p> <p>23 A. Because of my past experiences with her,</p> <p>24 which has spanned over a number of years since</p>	<p style="text-align: right;">Page 76</p> <p>1 hostile work environment. I felt that this was</p> <p>2 two people that didn't see eye to eye and</p> <p>3 sometimes did not get along.</p> <p>4 Q. Do you know if she was reaching out to</p> <p>5 anyone else in human resources besides you?</p> <p>6 A. Not that I know of.</p> <p>7 Q. Do you know someone named Rhonda Brown?</p> <p>8 A. Yes.</p> <p>9 Q. Who was she?</p> <p>10 A. Rhonda Brown was the, I think she was</p> <p>11 associate vice president for IDEAL. She doesn't</p> <p>12 work in HR.</p> <p>13 I know you are going to ask me what</p> <p>14 IDEAL is, but I don't remember what the acronym</p> <p>15 stands for, but it is the office that deals with</p> <p>16 diversity for the university.</p> <p>17 Q. Is it part of EEO?</p> <p>18 A. EEO? The EOC department used to come</p> <p>19 under Rhonda. At the time it was no longer</p> <p>20 under Rhonda.</p> <p>21 Q. Did you ever have any conversations with</p> <p>22 Rhonda Brown about Ruth Briggs?</p> <p>23 A. No.</p> <p>24 Q. Did anyone ever inform you that Ruth</p>

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<p style="text-align: right;">Page 77</p> <p>1 Briggs had conversations with her?</p> <p>2 A. No.</p> <p>3 MR. MUNSHI: Let's have this marked</p> <p>4 <u>P-27</u>.</p> <p>5 (<u>P-27</u> was marked for</p> <p>6 identification.)</p> <p>7 THE WITNESS: (Pause.)</p> <p>8 BY MR. MUNSHI:</p> <p>9 Q. In <u>P-27</u>, the third paragraph starts</p> <p>10 with, quote, There were a number of times that</p> <p>11 Dr. Wu canceled or postponed our regularly</p> <p>12 scheduled meetings (8:45 a.m. on Mondays,</p> <p>13 Wednesdays and Fridays) with very little notice</p> <p>14 and Drew did not attend two meetings and was</p> <p>15 late today."</p> <p>16 Do you see that?</p> <p>17 A. Yes.</p> <p>18 Q. Did you ever follow up with Drew or</p> <p>19 Dr. Wu or anybody as to whether or not that was</p> <p>20 true?</p> <p>21 A. Yes, I did.</p> <p>22 Q. Who did you follow up with?</p> <p>23 A. With Drew.</p> <p>24 Q. What did he say?</p>	<p style="text-align: right;">Page 79</p> <p>1 in the workplace; right?</p> <p>2 MS. SATINSKY: Objection to form.</p> <p>3 THE WITNESS: I don't recall if she</p> <p>4 had complained prior to this e-mail.</p> <p>5 BY MR. MUNSHI:</p> <p>6 Q. And prior to this e-mail, do you recall</p> <p>7 ever hearing from her that she was yelled at in</p> <p>8 front of peers?</p> <p>9 A. I don't recall.</p> <p>10 Q. Being yelled at in front of peers is</p> <p>11 something we talked about earlier.</p> <p>12 A. Uh-huh.</p> <p>13 Q. Would you consider that to potentially</p> <p>14 be abusive treatment?</p> <p>15 A. Yes.</p> <p>16 MS. SATINSKY: Objection to form.</p> <p>17 BY MR. MUNSHI:</p> <p>18 Q. And did you go to Greg or Drew or</p> <p>19 anybody to look into this concern?</p> <p>20 A. Yes.</p> <p>21 Q. And do you have a specific recollection</p> <p>22 of doing so?</p> <p>23 A. In regards to this e-mail? Yes.</p> <p>24 Q. What do you recall saying to them?</p>
<p style="text-align: right;">Page 78</p> <p>1 A. That it was true.</p> <p>2 Q. And then in the last paragraph on the</p> <p>3 first page she writes to you, "I want you to</p> <p>4 understand how distressing it is when I have no</p> <p>5 one in the department and no one in human</p> <p>6 resources who will listen to me. I am honest</p> <p>7 and operate with integrity in every arena of my</p> <p>8 life and five days out of the week I am battered</p> <p>9 emotionally, insulted, ignored --</p> <p>10 MS. SATINSKY: Sorry to interrupt</p> <p>11 you. It does not say "I am." It says "I a."</p> <p>12 BY MR. MUNSHI:</p> <p>13 Q. The sentence says, "I am honest and</p> <p>14 operate with integrity in every arena of my life</p> <p>15 and five days out of the week I 'a' battered</p> <p>16 emotionally, insulted, ignored, yelled at in</p> <p>17 front of peers and the department scapegoat."</p> <p>18 Did you ever talk to Ruth Briggs</p> <p>19 about what she wrote here?</p> <p>20 A. I probably did. I don't recall</p> <p>21 specifically, but I'm sure I talked to her.</p> <p>22 Q. This is dated February 22nd, 2014.</p> <p>23 This e-mail isn't the first time</p> <p>24 that she expressed to you that she felt insulted</p>	<p style="text-align: right;">Page 80</p> <p>1 A. I recall saying that Ruth has contacted</p> <p>2 me. She had specifically complained of this</p> <p>3 behavior, and they both told me, you know, they</p> <p>4 gave me their understanding of what took place</p> <p>5 and what was going on with Ruth and Dr. Wu.</p> <p>6 Q. And was it your understanding that Greg</p> <p>7 and/or Drew discussed this with Dr. Wu as well?</p> <p>8 A. Yes.</p> <p>9 Q. And did they relate to you what his</p> <p>10 thoughts were?</p> <p>11 A. Dr. Wu -- what they came back to me and</p> <p>12 they said Dr. Wu basically denies that he yelled</p> <p>13 at her in front of other staff.</p> <p>14 Q. Was it your understanding that Dr. Wu</p> <p>15 denied making any comments to Ruth Briggs at all</p> <p>16 that were insulting?</p> <p>17 MS. SATINSKY: Objection to form.</p> <p>18 THE WITNESS: Yes, he denied it.</p> <p>19 BY MR. MUNSHI:</p> <p>20 Q. The last sentence in Ruth's e-mail to</p> <p>21 you says -- it is on the next page -- it</p> <p>22 says, "I am appealing to you to assign someone</p> <p>23 who is fair and unbiased to conduct an</p> <p>24 investigation for the truth about these two</p>

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<p style="text-align: right;">Page 81</p> <p>1 incidents without prejudice in a timely manner." 2 Do you see that? 3 A. Uh-huh. 4 MS. SATINSKY: You have to answer. 5 THE WITNESS: Sorry Yes 6 BY MR. MUNSHI: 7 Q. That is okay. 8 Did you have a conversation with 9 Ruth about her request here? 10 A. I don't remember, but I'm sure I talked 11 with her. 12 Q. How about with Greg and/or Drew, do you 13 recall having a conversation with them about 14 having someone do an investigation? 15 A. I don't think I talked to them about an 16 investigation. I talked to them about her 17 issues and her concerns, but not in regards to 18 investigation. 19 I asked, as I always did when she 20 contacted me, I asked them to look into the 21 situation that was going on between Dr. Wu and 22 Ruth. 23 The main reason that Drew was down 24 there was to mediate the relationship between</p>	<p style="text-align: right;">Page 83</p> <p>1 worked through Greg and Drew. 2 Q. The handful of conversations you had 3 with Dr. Wu, would you say that all of them were 4 brief? 5 A. Yes. 6 Q. How brief would you say? 7 A. I didn't stay on the phone with him more 8 than five minutes. It might have been two 9 minutes. 10 Q. The first time he reached out to you. 11 So as we know, Miss Briggs ended her employment 12 in April of 2014. The first time that you had a 13 direct conversation with Dr. Wu, could you tell 14 me if it was in the year 2014 or some time 15 earlier than that? 16 A. From my memory, I think the only time I 17 talked to him was in 2014. 18 Q. So at the time that you spoke with 19 Dr. Wu personally, you had already known 20 directly from Ruth that she had complained about 21 hostile work environment from Dr. Wu; right? 22 MS. SATINSKY: Objection to form. 23 THE WITNESS: Yes. 24 BY MR. MUNSHI:</p>
<p style="text-align: right;">Page 82</p> <p>1 Dr. Wu and Ruth and to address any of those 2 issues. 3 So with Drew down there, she had 4 every opportunity to address these issues. 5 Q. And now coming back to the handful of 6 conversations you did have with Dr. Wu -- 7 A. Uh-huh. 8 Q. -- can you give me an estimate as to 9 what handful is? Is it two, four, five, ten? 10 A. It was probably two or three times that 11 I recall. 12 Q. And what is the first one that you 13 recall? 14 A. So I think Dr. Wu called me when he 15 couldn't get in contact with Greg or Drew and he 16 would say, you know -- I can't be real -- I'm 17 being very general. I know that he called in 18 regards to something that Ruth did that caused 19 the problem or error. And I think he called in 20 regards to a lateness. I can't specifically 21 say, but they were surrounding her performance. 22 And he would call me and I would tell him, well, 23 you know, that I would talk with Greg and Drew 24 about the situation. But for the most part, he</p>	<p style="text-align: right;">Page 84</p> <p>1 Q. And you had already known that she made 2 an allegation about a comment regarding 3 retirement age in China for women that Dr. Wu 4 said? 5 MS. SATINSKY: Objection to form. 6 THE WITNESS: Yes. 7 BY MR. MUNSHI: 8 Q. And you had already had several 9 conversations with Greg Wacker about Ruth 10 Briggs' concerns with Dr. Wu; right? 11 A. Yes. 12 Q. You had already had several 13 conversations with Drew DiMeo about Ruth Briggs' 14 concerns with Dr. Wu; right? 15 A. Yes. 16 Q. Did you ever tell Dr. Wu when you were 17 speaking with him, "I've already been in touch 18 with Ruth Briggs about concerns"? 19 A. No. 20 Q. And you had an understanding that Greg 21 Wacker had conversations with Dr. Wu regarding 22 Ruth Briggs' concerns; right? 23 A. Yes. 24 Q. And you already had an understanding</p>

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<p style="text-align: right;">Page 85</p> <p>1 that Drew DiMeo had conversations with Dr. Wu 2 about Ruth Briggs' concerns; correct? 3 A. Yes. 4 Q. At any point prior to Miss Briggs' 5 termination of employment, did you learn that 6 she had gone to the EEOC or planned to go to the 7 EEOC? And I don't mean internally EEOC. I mean 8 the government EEOC. 9 MS. SATINSKY: Objection to form. 10 THE WITNESS: I don't recall her 11 telling me that. 12 BY MR. MUNSHI: 13 Q. Do you recall learning that from 14 anybody? And this is prior to Miss Briggs' 15 termination. 16 MS. SATINSKY: Objection to form. 17 THE WITNESS: I just don't recall. 18 MR. MUNSHI: Let's have this marked 19 as <u>P-28</u>, please. 20 (<u>P-28</u> was marked for 21 identification.) 22 BY MR. MUNSHI: 23 Q. So <u>P-28</u> starts with an e-mail from Ruth 24 Briggs to Sandy Foehl. Subject line, "I want to</p>	<p style="text-align: right;">Page 87</p> <p>1 of filing an EEOC complaint was raised by Ruth 2 Briggs to you? 3 MS. SATINSKY: Objection to form. 4 Go ahead. 5 THE WITNESS: That I recall, yes 6 BY MR. MUNSHI: 7 Q. And what was your reaction to reading 8 Ruth Briggs' e-mail where she makes a reference 9 to filing a complaint with the EEOC? 10 MS. SATINSKY: Objection to form. 11 Mischaracterized the document. 12 BY MR. MUNSHI: 13 Q. What was your reaction to reading Ruth 14 Briggs' e-mail regarding planning to file an 15 EEOC complaint internally and that she had 16 already had a phone intake with the EEOC? 17 A. I wasn't too concerned. You know, in my 18 business and my line of work, I find that 19 employees will threaten to do that and it's 20 their right. So I don't necessarily get too 21 concerned when they say that they're going to do 22 that. 23 Q. With regard to Ruth Briggs specifically, 24 were you surprised at all to read her e-mail?</p>
<p style="text-align: right;">Page 86</p> <p>1 schedule an appointment to file a complaint." 2 The last sentence in the first paragraph of her 3 e-mail to Sandy is, "I plan to file an EEOC 4 complaint internally and have already had a 5 phone intake with the EEOC." 6 Do you see that? 7 A. Yes, I do. 8 Q. Then Sandy forwarded this e-mail to you 9 on February 26th, 2014. Do you see that? 10 A. Yes. 11 Q. And she asks you, "Have you talked with 12 her recently to know what her issues are?" 13 Did you subsequently have a 14 conversation with Sandy about this? 15 A. Yes. 16 Q. What do you recall about your 17 conversation with Sandy? 18 A. I can't recall specifically, but I'm 19 sure I gave Sandy an update. So as always, when 20 she reaches out to me, I'm sure I called her and 21 told her what the circumstances were and what 22 was going on with Ruth. 23 Q. When you received this e-mail from 24 Sandy, was that the first time that the concept</p>	<p style="text-align: right;">Page 88</p> <p>1 A. No, I wasn't. 2 Q. Then you did have a conversation with 3 Sandy Foehl and you said you gave her an update. 4 What did you say to her? 5 A. Specifically I can't tell you, or I 6 don't want to make up anything, but I'm sure 7 that I just gave her, as I always do when she 8 calls me in these situations, I gave her an 9 update of what was going on with Ruth at that 10 time. 11 Q. And do you remember what was going on at 12 that time? This is February 26th, 2014. 13 A. This is February. 14 I'm sure the discipline had taken 15 place. She was having meetings on an ongoing 16 basis with Drew and Dr. Wu. And she was not 17 happy about that. So I'm sure that's what her 18 issues were, and I gave Sandy an update of what 19 has been going on with her. 20 So whatever was going on, one, the 21 meetings, the discipline, I went over that with 22 Sandy. 23 Q. Did you inform Greg Wacker about the 24 e-mail that you received from Sandy Foehl, <u>P-28</u>?</p>

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<p style="text-align: right;">Page 89</p> <p>1 A. I don't recall. I --</p> <p>2 Q. How about -- sorry, go ahead.</p> <p>3 A. It's -- I mean I always tell managers</p> <p>4 that -- because it's her right to do this, and</p> <p>5 she may have contacted her confidentially, so</p> <p>6 sometimes I may not tell a manager that this is</p> <p>7 going on. So I don't recall if I did or not.</p> <p>8 Q. Same thing with Drew DiMeo, do you</p> <p>9 recall speaking with him about it?</p> <p>10 A. I don't recall.</p> <p>11 Q. Is it possible that you did?</p> <p>12 MS. SATINSKY: Objection to form.</p> <p>13 THE WITNESS: I'm not sure.</p> <p>14 BY MR. MUNSHI:</p> <p>15 Q. Did you have any conversations with</p> <p>16 Tracy Hamilton about Miss Briggs' e-mail that we</p> <p>17 are looking at?</p> <p>18 A. This specific e-mail?</p> <p>19 Q. Start with this specific e-mail.</p> <p>20 A. Tracy Hamilton? I don't recall Tracy</p> <p>21 Hamilton being involved.</p> <p>22 Q. With Ruth Briggs?</p> <p>23 A. Yes.</p> <p>24 Q. Over the course of several years, would</p>	<p style="text-align: right;">Page 91</p> <p>1 Q. <u>P-29</u> is a lengthy e-mail chain between</p> <p>2 you and Ruth Briggs, but if you can turn to the</p> <p>3 second to the last page, which has the No. 72 in</p> <p>4 the bottom right-hand corner.</p> <p>5 Miss Briggs writes here, "My work</p> <p>6 situation with Drew DiMeo and Dr. Wu is</p> <p>7 escalating and I need your help. This issue is</p> <p>8 not something that affects my work week, but is</p> <p>9 causing anxiety and depression throughout my</p> <p>10 weekends. To mask this from my grown children</p> <p>11 and grandchildren, I report that I have the flu</p> <p>12 so that they stay away."</p> <p>13 At any point, had Miss Briggs</p> <p>14 expressed to you that the situation at work was</p> <p>15 causing her anxiety?</p> <p>16 A. In this e-mail.</p> <p>17 Q. Prior to this e-mail, did she ever</p> <p>18 express that to you?</p> <p>19 A. She may have. I don't recall</p> <p>20 specifically.</p> <p>21 Q. Prior to this e-mail, had she ever</p> <p>22 expressed to you that she was feeling depressed?</p> <p>23 A. No.</p> <p>24 Q. Were you surprised to read that?</p>
<p style="text-align: right;">Page 90</p> <p>1 you agree with me that Miss Briggs on numerous</p> <p>2 occasions came to you to discuss her workplace</p> <p>3 concerns with Dr. Wu?</p> <p>4 A. On numerous occasions over how many</p> <p>5 years?</p> <p>6 Q. From 2010 to 2014.</p> <p>7 A. She contacted me. We're not in the same</p> <p>8 physical location, so it wasn't always easy for</p> <p>9 her to come to me personally.</p> <p>10 Q. Were there any complaints or concerns</p> <p>11 that she raised with you about Dr. Wu that you</p> <p>12 did not look into or direct somebody to look</p> <p>13 into?</p> <p>14 A. No.</p> <p>15 MR. MUNSHI: This is <u>P-29</u>.</p> <p>16 (<u>P-29</u> was marked for</p> <p>17 identification.)</p> <p>18 BY MR. MUNSHI:</p> <p>19 Q. This is a bit lengthier, so go ahead and</p> <p>20 read this e-mail chain. As with most e-mail</p> <p>21 chains, it starts at the end and was forwarded,</p> <p>22 if it is easier for you to read it that way.</p> <p>23 A. (Pause.)</p> <p>24 Okay.</p>	<p style="text-align: right;">Page 92</p> <p>1 A. Yes.</p> <p>2 Q. On the second page of <u>P-29</u>, with No. 70</p> <p>3 in the lower right-hand corner, in the middle of</p> <p>4 that first paragraph, she says, "All I want is</p> <p>5 to continue to work without being harassed."</p> <p>6 Do you see that?</p> <p>7 A. Yes.</p> <p>8 Q. And is that a concern that you looked</p> <p>9 into?</p> <p>10 A. Yes.</p> <p>11 Q. And how did you look into that concern?</p> <p>12 A. Again, I talked with Greg and Drew.</p> <p>13 Q. And then did you also ask them or</p> <p>14 instruct them to speak with Dr. Wu?</p> <p>15 A. Yes.</p> <p>16 Q. So on the first page of <u>P-29</u>, you start</p> <p>17 your e-mail March 25th, 2014, with, "Good</p> <p>18 morning, Ruth." You write here, "Every time you</p> <p>19 have reached out to me I have talked with you</p> <p>20 and looked into your complaints and concerns."</p> <p>21 A. Uh-huh.</p> <p>22 Q. That is an accurate statement; right?</p> <p>23 A. Yes.</p> <p>24 Q. And the process you have already</p>

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<p style="text-align: right;">Page 93</p> <p>1 described for us is what you meant by "looked 2 into"?</p> <p>3 A. Yes.</p> <p>4 Q. And the complaints and concerns that you 5 looked into included claims of harassment and 6 hostile work environment; correct?</p> <p>7 MS. SATINSKY: Objection to form.</p> <p>8 THE WITNESS: It included the 9 complaints that she would have in regards to how 10 she was being treated by Dr. Wu where she felt 11 she was being singled out. So I would ask Greg 12 and Drew to look into those things. I would 13 usually call them and ask them about, you know, 14 how things were being run in the computer 15 information department, or CIS.</p> <p>16 BY MR. MUNSHI:</p> <p>17 Q. And Dr. Wu was the chair of CIS at the 18 time?</p> <p>19 A. That's my understanding, yes.</p> <p>20 MR. MUNSHI: Can we have this marked 21 as <u>P-30</u>, please.</p> <p>22 (<u>P-30</u> was marked for 23 identification.)</p> <p>24 BY MR. MUNSHI:</p>	<p style="text-align: right;">Page 95</p> <p>1 Q. And this was a few weeks after the 2 e-mail we just looked at where Ruth Briggs 3 mentioned the EEOC complaint; right?</p> <p>4 MS. SATINSKY: Objection to form.</p> <p>5 THE WITNESS: So that was in 6 February, so yes.</p> <p>7 BY MR. MUNSHI:</p> <p>8 Q. Did you inform Sandy the same thing that 9 you informed Ruth, which was that every time 10 Ruth reached out to you you talked with Ruth and 11 looked into her concerns and complaints?</p> <p>12 A. Yes.</p> <p>13 Q. And did you explain to Sandy that 14 looking into the concerns and complaints meant 15 that you would talk with Greg and Drew?</p> <p>16 A. Yes.</p> <p>17 Q. And did you explain to Sandy that 18 looking into the concerns and complaints 19 involved Greg or Drew, and/or Drew speaking with 20 Dr. Wu?</p> <p>21 A. Yes.</p> <p>22 Q. And did Sandy have any sort of reaction 23 to your conversation?</p> <p>24 A. No.</p>
<p style="text-align: right;">Page 94</p> <p>1 Q. Now, <u>P-30</u> is a portion of the same 2 e-mail chain that we just looked at, <u>P-29</u>, with 3 a different top e-mail. So you can read through 4 the whole thing again, but I believe it is the 5 same several pages that we just looked at.</p> <p>6 A. (Pause.)</p> <p>7 The top e-mail is part of this one 8 already?</p> <p>9 Q. Right. So the top e-mail is basically, 10 the one I am looking at, is March 25th, 2014, 11 where you are forwarding to Sandy the e-mail 12 chain.</p> <p>13 A. Okay.</p> <p>14 Q. That was just a long way of getting you 15 to say, do you recall your conversation with 16 Sandy about the e-mail chain that Ruth Briggs 17 and you had?</p> <p>18 A. What jogs in my memory is the fact that 19 Ruth had complained and nobody was responding to 20 her, and Sandy being one of those people. And I 21 contacted Sandy in regards to it, and I 22 forwarded this to Sandy for her to see that Ruth 23 was stating that no one was responding to her, 24 including her.</p>	<p style="text-align: right;">Page 96</p> <p>1 Q. This e-mail chain, the top one is 2 March 25th, 2014.</p> <p>3 Do you recall that Ruth Briggs' 4 employment was terminated within a week of that 5 date?</p> <p>6 MS. SATINSKY: Objection to form.</p> <p>7 THE WITNESS: I just know she was 8 terminated in April.</p> <p>9 BY MR. MUNSHI:</p> <p>10 Q. Of 2014?</p> <p>11 A. Yes.</p> <p>12 I'm sorry, she wasn't terminated.</p> <p>13 Q. What do you mean by that?</p> <p>14 A. She resigned.</p> <p>15 Q. Was it your understanding that she was 16 given a termination letter?</p> <p>17 A. She was given the option. She was given 18 a termination letter and given the option to 19 resign.</p> <p>20 Q. So which one happened first, that she 21 sent in her letter of resignation or she was 22 given the termination letter?</p> <p>23 A. She was given the termination letter.</p> <p>24 Q. This is <u>P-19</u>.</p>

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<p style="text-align: right;">Page 97</p> <p>1 MS. SATINSKY: There is no sticker 2 on it. 3 MR. MUNSHI: I am sorry. 4 BY MR. MUNSHI: 5 Q. This has previously been marked as <u>P-19</u>. 6 MS. SATINSKY: I just want to make 7 sure it is marked correctly for this deposition. 8 MR. MUNSHI: We can put another <u>P-19</u> 9 sticker on it if that would do it. This one had 10 been previously marked as <u>P-19</u>. 11 THE WITNESS: (Pause.) 12 Go ahead. 13 BY MR. MUNSHI: 14 Q. Have you ever seen this document before? 15 A. Yes. 16 Q. Do you know if this letter was given to 17 Ruth Briggs? 18 A. Yes, it was. 19 Q. Were you present when it was given to 20 Ruth Briggs? 21 A. Yes, I was. 22 Q. Who else was there? 23 A. Greg Wacker. 24 Q. Anyone else?</p>	<p style="text-align: right;">Page 99</p> <p>1 Q. Did Greg Wacker go into detail with her 2 about the reasons why she was getting this 3 termination letter? 4 A. I believe, yes, based on what he wrote 5 here. 6 Q. Did you ever discuss with Dr. Wu the 7 circumstances set forth in the first bullet 8 point in <u>P-19</u>? 9 A. I didn't talk specifically with Dr. Wu. 10 I talked with Drew. 11 Q. How about the second bullet point, did 12 you have a conversation with Dr. Wu about the 13 contents therein? 14 A. No. 15 Q. Did Ruth Briggs appear upset during this 16 meeting? 17 A. She was upset, yes. 18 Q. Based on your experience as an HR 19 professional of 30 years, do you agree with me 20 that if Miss Briggs was terminated for 21 complaining about hostile work environment, that 22 could potentially be a violation of Temple's 23 policies? 24 MS. SATINSKY: Objection to form.</p>
<p style="text-align: right;">Page 98</p> <p>1 A. Not that I recall. 2 Q. Did Greg Wacker say anything during this 3 meeting between the three of you? 4 A. He talked with Ruth. He explained the 5 reason that we were there, which is to give her 6 this termination letter. 7 In that same meeting, you know, he 8 talked about the gist of this letter and at the 9 same time gave her the option to resign. 10 Q. Did you say anything during this 11 meeting? 12 A. I said to her, you know, the things that 13 she would need. What I usually do is talk 14 about, you know, if she had any questions 15 regarding the termination, any questions in 16 regards to the difference between doing the term 17 or resigning. Talked to her about next steps. 18 If she needed any information in regards to 19 benefits, things like that, and I told her she 20 could contact me with any questions. 21 Q. How did Ruth Briggs appear during this 22 meeting? 23 A. She was surprised and a little taken 24 back.</p>	<p style="text-align: right;">Page 100</p> <p>1 THE WITNESS: Can you ask that 2 again? 3 BY MR. MUNSHI: 4 Q. Sure. Based on your experience as an HR 5 professional of about 30 years, do you agree 6 with me that if Ruth Briggs was terminated for 7 raising complaints of hostile work environment, 8 that could potentially be a violation of 9 Temple's policies? 10 MS. SATINSKY: Objection to form. 11 THE WITNESS: Yes. 12 BY MR. MUNSHI: 13 Q. Whose decision was it to give 14 Miss Briggs a termination letter? 15 A. In consultation with my office, 16 specifically me, Greg made the decision. And 17 again, I'm sure he also collaborated with 18 Dr. Wu. 19 Q. But do you know that for a fact that he 20 collaborated with Dr. Wu on the decision to give 21 the termination letter? 22 A. I know that he talked to Dr. Wu 23 concerning the situation. I'm sure Dr. Wu was 24 on board with the termination. So I think the</p>

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<p style="text-align: right;">Page 101</p> <p>1 decision, yeah, he talked with Dr. Wu, I know. 2 Q. Did you ever talk with Dr. Wu about the 3 decision to terminate? 4 A. No. 5 Q. Do you know if anybody else played any 6 role in the decision to terminate? 7 MS. SATINSKY: Objection to form. 8 THE WITNESS: I'm positive that Greg 9 ran this by his -- at the time, I don't know if 10 he was the vice dean, but he was the associate 11 dean, which would have been -- I forget his 12 name. Forgive me. 13 Ralph, his name was Ralph Jenkins. 14 BY MR. MUNSHI: 15 Q. Did you have any conversations with 16 Ralph Jenkins about Ruth Briggs? 17 A. I don't think so. 18 Q. When was the first time you heard about 19 the concept of giving Ruth Briggs a termination 20 letter? 21 A. I don't know specifically, but it was 22 close to this date. 23 Q. Prior to some time close to this date, 24 were you ever part of any conversations where</p>	<p style="text-align: right;">Page 103</p> <p>1 Q. Do you know what she had to write on her 2 Unemployment Compensation form in order to get 3 it regarding resignation or termination? 4 A. I don't recall. 5 Q. In your experience as an HR 6 professional, do employees typically get 7 Unemployment Compensation if they resign? 8 A. No, they don't. 9 Q. Any conversations after April 1st, 2014, 10 with Sandy Foehl regarding Ruth Briggs? 11 A. Any conversations with Sandra Foehl 12 after April 1st? Yes. 13 Q. Approximately how many? And 14 specifically about Ruth Briggs. Not about 15 anybody else. 16 A. Probably three times I might have talked 17 to her. 18 Q. What do you recall in the first 19 conversation? 20 A. I think I contacted, I may have 21 contacted Sandy after the termination to just 22 update her to give her, you know -- because I 23 think Sandy reached out to me because Ruth had 24 reached out to her, so I just explained to Sandy</p>
<p style="text-align: right;">Page 102</p> <p>1 the concept of terminating Miss Briggs came up? 2 A. I'm sure that it may have come up 3 because of the continued errors that she was 4 making. I just don't recall when. 5 Q. Do you recall making any notes or any 6 e-mails or any memos to the file about 7 discussing Ruth Briggs and termination? 8 A. I may have made notes. I don't recall 9 off the top of my head. 10 Q. After April 1, 2014, did you have any 11 conversations with Dr. Wu about Ruth Briggs? 12 A. No. 13 Q. How about Greg Wacker, after April 1, 14 any conversations with Greg Wacker about Ruth 15 Briggs? 16 A. I believe so. I think we were awaiting 17 her decision to resign, so I'm sure I talked 18 with him. 19 Q. And you had conversations with Ruth 20 regarding Unemployment Compensation; correct? 21 A. Yes. 22 Q. As far as you know, ultimately she did 23 receive unemployment compensation; correct? 24 A. Yes.</p>	<p style="text-align: right;">Page 104</p> <p>1 what took place, in regards to her termination, 2 why she was terminated and the circumstances. 3 Q. This was after the termination had 4 already happened; right? 5 A. Yes. 6 Q. Did it appear to you that this was the 7 first time that Sandy was learning that she had 8 been terminated, or did it appear to you that 9 Sandy already knew? 10 A. I may have been the person who told her. 11 Q. How did Sandy react? 12 A. She might have been surprised. 13 Q. Did Sandy ever inform you that she 14 herself at this time was looking into 15 Miss Briggs' complaints or concerns? 16 A. After the termination? 17 Q. Yes. 18 A. She may have. I don't recall. I mean 19 it was all coming together. I think that 20 Ruth -- when Ruth came into our meeting, she 21 said that -- well, she told me after Greg left 22 the meeting that she had been to see Sandy. So 23 I don't recall Sandy specifically saying she was 24 looking into it. I just know that she called</p>

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<p style="text-align: right;">Page 105</p> <p>1 me. I may have updated her or she called me and 2 I updated her. So I might have called her, she 3 may have called me. I don't recall. But we did 4 talk. 5 Q. What did she say or do that leads you to 6 believe that she was surprised? 7 A. Surprised because she just didn't know. 8 She didn't know that Ruth no longer was working 9 here or that this action was taken. So she 10 wasn't like surprised in the fact that she 11 didn't think that Ruth could be terminated. She 12 just was surprised because she didn't know that 13 she had been terminated. 14 Q. Did you talk with anybody else in the 15 EEO office about Ruth Briggs' termination? 16 A. Not that I recall. 17 Q. After the termination of Ruth Briggs, 18 are you aware if Sandy Foehl spoke with Dr. Wu? 19 MS. SATINSKY: Objection to form. 20 THE WITNESS: I don't know. I'm 21 sure she did. 22 BY MR. MUNSHI: 23 Q. What makes you say that? 24 A. Because I know how Sandy does her</p>	<p style="text-align: right;">Page 107</p> <p>1 I N D E X 2 DEPONENT: DEIRDRE CULBREATH-WALTON PAGE 3 Examination by Mr. Munshi 2 4 5 E X H I B I T S 6 CULBREATH-WALTON DEPOSITION EXHIBITS MARKED 7 P-26 E-mail string, Bates stamped 58 8 TEMPLE UNIVERSITY (R. BRIGGS) - 9 0000108 10 P-27 E-mail and attachment, 77 11 TEMPLE UNIVERSITY (R. BRIGGS) - 12 0000040 - 0000043 13 P-28 E-mail string, TEMPLE UNIVERSITY 85 14 (R. BRIGGS) - 0000039 15 P-29 E-mail string, TEMPLE UNIVERSITY 90 16 (R. BRIGGS) - 0000069 - 0000073 17 P-30 E-mail string, TEMPLE UNIVERSITY 93 18 (R. BRIGGS) - 0000079 - 0000082 19 20 PREVIOUSLY MARKED EXHIBITS 21 P-19 Page 97 22 23 24</p>
<p style="text-align: right;">Page 106</p> <p>1 investigation, so she speaks to everybody 2 involved. 3 Q. Did you understand that she was 4 conducting an investigation after the 5 termination? 6 MS. SATINSKY: Objection to form. 7 THE WITNESS: I'm not sure if she 8 did an investigation, but I'm sure she called 9 over just to see, just to check into Ruth's 10 issues. 11 MR. MUNSHI: I have no more 12 questions for you, Miss Walton. 13 MS. SATINSKY: I don't have any 14 questions. 15 The witness reserves the right to 16 read and sign. 17 (Witness excused.) 18 - - - 19 (The deposition concluded at 20 12:45 p.m.) 21 22 23 24</p>	<p style="text-align: right;">Page 108</p> <p>1 WITNESS SIGNATURE/CERTIFICATION PAGE 2 3 4 5 I have read the foregoing transcript 6 of my deposition given on Friday, June 30, 2017, 7 and it is true, correct and complete, to the 8 best of my knowledge, recollection and belief, 9 except for the list of corrections, if any, 10 attached on a separate sheet herewith. 11 12 13 14 15 16 17 18 DATE DEIRDRE CULBREATH-WALTON 19 20 21 22 23 24</p>

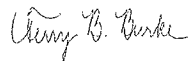
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I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter on Friday, June 30, 2017, and
that this is a true and correct transcript of
same.



Terry Barbano Burke, RMR-CRR

(The foregoing certification
of this transcript does not apply to any
reproduction of the same by any means, unless
under the direct control and/or supervision of
the certifying reporter.)

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